



170 Lukens Drive ♦ New Castle, DE 19720  
Telephone: (302)573-7760 ♦ Facsimile: (302)472-0796

RESPONSE TO CHARTER SCHOOL ACCOUNTABILITY COMMITTEE FINAL  
REPORT DATED JANUARY 11, 2013

Frank McIntosh  
President

Jacalyn Beam  
Community Member

Dan Young  
Vice President

Fred Dawson  
Community Member

Jay Anderson  
Secretary

Daphane Davis  
Community Member

Rebecca Faber  
Treasurer

Judi Kennedy  
Parent Member

Ann Terranova  
Teacher Member

Steve Quimby  
Interim School Leader

Frank Hagen  
Interim Assistant School Leader

February 11, 2013

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## **I. INTRODUCTION: RECTIFYING PENCADER'S CRISIS IN LEADERSHIP**

It is no understatement to say that Pencader Charter High School experienced a crisis in leadership during the spring and fall of 2012. Setting aside the school's well-known difficulties that occurred in previous school years, the summer of 2012 brought unprecedented turmoil to the Pencader community. It was revealed that the then School Leader misrepresented her educational credentials, the Board at one point consisted of just two members, questions arose about the propriety of so-called independent contractor agreements, the school's previous attorney, a well-respected member of the Delaware Bar, resigned, and myriad other problems plagued the school.

Although by the start of the school year new members had joined the school board and new counsel had been retained, the crisis continued. Board meetings were often divisive and confrontational. These were indeed difficult and dark days for the Pencader family. The previous Board finally acted to terminate the School Leader on September 10, 2012. It was on that day that the school began its long, at times excruciating recovery process.

Out of that controversy the path forward to fulfilling Pencader's mission of providing an innovative and quality business and finance education to high school students has taken shape. The Board has been reconstituted with six (6) new members. The new Board is led by Frank J. McIntosh. As the President of Junior Achievement of Delaware, Mr. McIntosh led for 30 years an organization whose mission is in near perfect alignment with Pencader's. Mr. McIntosh brings to the Pencader Board the wisdom of a lifetime of experience in business education. Mr. McIntosh has brought on to the Board five (5) other first rate Delaware professionals who were purposefully selected based on their individual experience and expertise further described below.

Reconstituting the Board, however, is just the beginning. Mr. McIntosh and the

new board immediately recognized that the failures at Pencader are failures in leadership. The faculty is strong and the students are committed. The former leadership was the problem. As Mr. McIntosh has publically stated repeatedly, every high performing school he has become familiar with in his extensive career has been led by an excellent school leader. Whether called a principal, a dean, or school leader, the point is the same: To fulfill its mission, Pencader must start at the top.

To hire a top notch leader, however, Pencader needs at least one additional school year. The Board is intent on hiring an experienced school leader with charter school experience but it cannot move forward with a rational hiring process unless it can assure a candidate that the school will exist for at least the 2013-2014 school year.

Given the past events, the Board is well aware of the frustration of the many public officials charged with the responsibility of ensuring that Pencader fully meets the terms of its charter. The Board recognizes that the angst about Pencader is real and justified.

Yet, there remains a fundamental issue - what is best for the students Pencader serves? In fact, that is the only issue.

The new Board is committed to transforming Pencader into a top performing charter that implements its unique mission of providing Delaware high school students with business and finance education. If given another year, it will transform and revitalize the leadership to ensure that the curriculum is implemented with fidelity and that the student experience at Pencader is as it should be. As discussed below, the Board has already formed alliances and partnerships with leaders of other charter schools, the business community, and reached out to parents and the school community.

The signs of success are already apparent. The dark days of division and confrontation are now thankfully behind us. The school community, students, parents, faculty are

fully aligned with the Board in moving forward in unified fashion to make Pencader a top performing school. In fact, school enrollment has modestly *increased* during the school year. The tide has already turned to a positive direction.

Rome was not built in a day. Pencader cannot be rebuilt without another year.

This is our simple request. In the interest of the students, give Pencader a year.

## **II. CRITERION 1: GOVERNANCE AND ADMINISTRATION**

### **A. The Charter Accountability Committee made the following findings:**

“Based on the response submitted by Pencader after the Preliminary Meeting, the Committee discussed the submitted response and noted the following

- The Pencader Board has been reconstituted and the experience of the new members adds value to the Board.
- The response did not contain any references to Pencader looking for best practices at high performing charter schools with similar missions nor demographics. Such schools are to be found in Delaware as well as nationally.
- A concern was raised relative to the MBA Research Curriculum program being implemented with fidelity as well as a concern if Pencader had networked with member schools. Financial implications to curriculum adoption were absent from Pencader's response.
- A concern about the lack of a concrete plan for training of Board members as noted in the Preliminary Report and not adequately addressed in the school's response. Pencader did not consider existing high-performing schools or any of the extensive research on this subject. The Charter Schools Office provided a list of resources to assist the Board with its planning.
- Pencader's plan for a new leadership structure has been effective at other schools; however, no mention was made about recruitment costs and no revised budget was submitted.
- Pencader failed to meet the December 1, 2012 deadline relative to documenting its tax-exempt status. Likewise, the 501(c)(3) document was not filed by the specified deadline.
- The Pencader response and the school's website were unclear about who are the Board members.
- The inclusion of a Board member who served on the Board of a charter school whose charter was revoked was not disclosed.
- The Board's proposed school leader recruitment plan is not sufficiently well-designed or detailed to result in attracting strong viable leaders.

The Committee concluded that Criterion One remains not met.”

### **B. Response to Criterion 1 concerns:**

#### **1. Board Governance Training**

All nine members of the Pencader Board participated in formal board governance training on February 5, 2013. The training was conducted by Dr. Steven Godowsky, Associate, Delaware Academy for School Leadership. Dr. Godowsky is the former Superintendent of the New Castle County Vocational Technical School District. He has spent his career in public

education including over 30 years in the Delaware public schools. He is a respected Delaware educator who brought a wealth of practical knowledge to training Pencader's Board.

Dr. Godowsky's training materials are attached at Tab 1. He tailored his training towards the unique environment of Charter schools. The keys to establishing a peak performing governance team are that: (1) Team members are united by their commitment to the service of children; (2) The Board and School Leader have an interdependent relationship, i.e., the Board sets policy direction and is primarily responsible to the school community it serves to whom it is accountable; The School Leader is responsible for implementation of goals and strategies and the day to day operation of the school; (3) The Governance Team establishes the key indicators of success, including fidelity to the school mission, and objectively verifiable results; (4) Governance relationships are based on trust and respect. This sets the tone for the whole school community; (5) The Governance Team must establish strong and durable links to the school community through quality service, communication, transparency, and well-defined channels for problem solving.

The Board plans to continue its work with Dr. Godowsky. The next step is to continue the training program and develop a Board Governance Agreement implementing the above principles and establishing standard operating procedures and board communication protocols.

In addition to the formal training described above, Bill Bentz, of Innovative Schools, a 30 year business manager for Colonial School District, has assisted the Board in understanding Delaware's unique system of financing public education. Pencader has contracted with Innovative Schools to run the school's "back office" financial operations and budgeting. The school plans to continue its association with Innovative Schools. Mr. Bentz has not only attended Board meetings, kept the Board apprised of Pencader's compliance with its financial

commitments, and attended monthly budget compliance meetings with DOE and Charter School officials, but also agreed to conduct a separate Board training program for the Board regarding educational finance in Delaware. His knowledge and assistance has been invaluable.

## **2. Board Outreach Initiatives**

The new Board has also reached out to top performing charter schools to assist in the school's turnaround. Pencader Board President Frank McIntosh is in close contact with Charter School of Wilmington's Board Chairman, Irwin Becnel, board member Henry Clampitt, and President Chuck Baldwin, all of whom have generously agreed to volunteer their time to assist in Pencader's turnaround. Pencader board members, Daniel Young and Rebecca Faber also separately met with President Chuck Baldwin. President Baldwin has also pledged support in all areas including best practices, charter rules and regulations, policy, discipline, and student motivation.

The results of these meetings are clear wins for PCHS.

Mr. Becnel and Mr. McIntosh talk frequently about the issues of charter schools and best practices, as well as pitfalls to avoid. Mr. Clampitt is an expert in Brian Carpenter's training methods for Charter Schools and will be conducting regular workshops to assist the Pencader board of directors. Mr. Clampitt has been quick to offer helpful observations and has attended the school's parents' meeting.

As mentioned above, Henry Clampitt will be working with the school on an ongoing basis to increase our knowledge of charter school boardsmanship. We are gauging our strategic objectives in a vein similar to Charter School of Wilmington from a conceptual standpoint. Of course, their school objectives differ from ours in some ways but their pursuit of excellence does not. It is our intention to create an atmosphere at Pencader that is modeled on the Charter School of Wilmington. Through board member Jacalyn Beam, we are introduced to a

nationally known Charter school expert, Dr. Gary Miron - who acted as her dissertation advisor and can also provide insights for us.

### **3. New Leadership Model/School Leader Recruitment Plan**

The concept of an Educational Leader and an Administrative Leader presented to the Accountability Committee is being met with enthusiasm by the Pencader Community. A step in that direction was taken recently when we replaced the interim Assistant Principal with noted Delaware and Maryland educator Frank Hagen. Mr. Hagen has a stellar reputation as a school principal, particularly the 14 years he spent at Newark High School where under his leadership Newark was considered one of the best high schools in our state. He also spent a year at Charter School of Wilmington where he was responsible for school operations/leadership, student life, and student discipline. His record of achievement in this position is fully recognized by the school. Current school President of Charter School of Wilmington, Chuck Baldwin, considers Mr. Hagen as his mentor. Mr. Hagen is working within our current budget allocations.

A committee has been formed to screen candidates and employ the school educational and administrative leadership. As noted above, if given another year, the selection process for new leadership will immediately commence, but we cannot attract top candidates without the expectation that the school will be in existence in the next school year. The administrative structure and hiring will be within the confines of the school budget.

### **4. Tax Exempt status**

One the problems the Charter Accountability Committee identified was the loss of the school's tax exempt status as a 501 (c) (3) organization. Amazingly, the prior school leadership failed to file form 990's and otherwise take the required steps to maintain the school's tax exempt status. While Pencader understands the Committee's concern, the criticism of the

alacrity with which this issue has been addressed is not well founded.

The filing of the required documentation requesting tax exempt status is not mere paperwork. Attached at Tab 2 is the statement of the school accountant regarding the required due diligence process. He worked with the school's counsel, Barry Willoughby, Esquire, to compile the necessary documentation so that it could be presented to the Chair of the Board for approval and signing. Mr. Fronczkowski noted that Mr. McIntosh "immediately" signed the request for tax exempt status when presented to him. As noted in Mr. Fronczkowski's statement, the application is awaiting IRS approval that ordinarily takes about four months from the date of filing.

## **5. Website issues**

Pencader is experiencing significant problems with its website. We believe the school is the victim of individuals who have improperly gained access or who have otherwise changed information without authorization after we have posted new information. The changed information is wrong, old or misleading. Two specific instances that we can state are when Mr. Willoughby changed the registered agent from former Head of School to his firm's corporate registry organization, the new document was processed and then posted on the site. Yet the document was later found to have the former school leader as its registered agent.

Similarly, President Frank McIntosh dictated a series of changes to our web person internally which included updates to all of the current board members. After the changes were made and then reviewed by Mr. McIntosh, he went on the site again to be sure all was well and it was. Two days later, the changes disappeared and replaced by distorted information.

A call to "Go Daddy", informed us that the owner of domain name is Adam Lewis, son of the former Head of School, who is the only person who can allow us to have full access to our site. Mr. Lewis has thus far been unresponsive to efforts to reach him. Addressing this issue is legally difficult. If the domain is not voluntarily turned over to the school, it will budget for and

create a new web page.

**6. Criticism of a Board member for his “association” with the Moyer Academy**

A member of the Charter Accountability criticized Pencader because a current member of the Board had in her mind been associated with the Moyer Academy. While we do not question the good faith of the allegation, it was ill informed at best.

Professor Daniel Young, Vice President of the Pencader Board, is the member who served on the Moyer Charter school board. Professor Young *served just one day* on that board. Because of his experience there, he withdrew his name that same day. We do not consider this association to in any way limit his contribution to our cause at Pencader. We believe him to be highly competent, energetic, and fully dedicated to the future of our school. He is an asset who brings with him a long family history of dedication to Delaware schools. It is unfortunate that he was made to suffer public embarrassment due to this allegation, not to mention the inaccurate implication that the new Board failed to vet the individuals they were bringing forward as new leadership.

**7. The Members of the New Board Are Fully Engaged and Have Diverse Experience and Expertise**

We are very proud of the new Board members that have stepped forward to help Pencader achieve its place of prominence in the Charter school community. Each of the members brings uniquely different and necessary talents to the board. President Frank McIntosh has a lifetime experience of delivering high quality programs of business, finance, and economics, CEO of a highly successful business, worldwide experience in board development, and relevant experience in leadership positions for almost thirty years in education at the state and district levels, including President of the State PTA and Chairmanship of the Financial Review

Committee of the Christina School District at the time of their greatest need; Vice President Dan Young brings successful experience in marketing and finance in the workplace and now teaching at the University level at Wilmington University and University of Delaware; Fred Dawson brings exceptional business skills as a C Level manager in his company, a noted financial planner, a musician whose band has raised millions of dollars for local charities, and a distinguished Rotarian; Dr. Jacalyn Beam, relevant experience in central office administration in Baltimore County, Maryland, deep knowledge of Charter school operations in Delaware, strong analytic skills and an award winning artist; Rebecca Faber, President of the World Trade Center Delaware who took the organization from obscurity to prominence over 15 years of service, excellent strategic planning skills and unique contacts in our business community; Ann Terranova, Chair of the Business department at Pencader, whose strong financial background includes service as a Private Banker for PNC bank. These individuals offer the school a wealth of experience, skills, and contacts that will prove beneficial as we remake Pencader into a distinguished school of business and finance.

### **III. CRITERION 3: MISSION, GOALS AND EDUCATIONAL OBJECTIVES**

#### **A. The Charter Accountability Committee found that:**

“Based on the response submitted by Pencader after the Preliminary Meeting, the Committee noted the following.

- Pencader plans to develop a strategic plan that includes student development, goals, and objectives for meeting the school's mission.
- The response lacks goals and strategies for the MBA Research and Curriculum program and it is not clear how the program will be implemented at Pencader nor how it will advance the mission of the school. Additionally, adoption of the program involves two years of staff professional development for which there are fees, which are not incorporated into the school's budget.
- The student performance data included in the response contained inaccuracies and the data were often poorly presented.
- Overall, the response did not demonstrate strong analytic skills or an understanding of the analyses.
- Charter School Office staff shared with Pencader its academic performance results from the new Performance Framework (see Appendix B); however, the Pencader response did not reference these data. Although Pencader did not meet many of the academic indicators on the performance framework, the results could have been used as the basis for educational goals and objectives.
- Additionally, the SAT data and graduation rates appear to be inaccurate; the Advanced Placement data do not include comparisons or analyses to prior years; and the pass rates are quite low. Additionally, PSAT data went unreported to the State.
- The Pencader response demonstrated a lack of understanding between the Delaware Comprehensive Assessment System (DCAS) cut scores and standard scores. Inaccuracies in data analyses were apparent.
- The Pencader response showed the school as performing at a higher level than the State on DCAS assessments; however when the school's performance is compared to accurate State data, the State out-performed Pencader.
- Pencader leadership is in need of assistance in interpreting assessment data.
- Instead of clearly articulated goals, expectations, and educational outcomes, the response included words such as "hope to" or "expect to."
- There is little or no evidence of job-embedded, sustained professional development and walk-through observations conducted during Professional Learning Community time rather than classroom time.

“The Committee concluded that Criterion Three remains not met.”

#### **B. Response to Criterion 3 concerns:**

##### **1. Data Analyses**

##### **a. Pencader student progress over time**

The Delaware Academic Performance Framework Charter Report (DAPFCR)

reveals Pencader student academic performance is on the rise. For example, students meeting

instructional growth targets in Math increased from 32.5% in 2010-11 to 50.9% in 2011-12. In English Language Arts (ELA) the number of students meeting instructional growth targets increased from 38.5% in 2010-11 to 56.7% in 2011-12. Accordingly, student achievement grew in both Math and ELA over 18% in one school year.

The percentage of students in the lowest quartile meeting achievement targets in Math grew almost 30% with a starting point of 43.2% in 2010-11 and increasing to 75% in 2011-12. In ELA the percentage of students in the lowest quartile meeting achievement targets was greater. They demonstrated a 40% improvement starting at 33.3% in 2010-11 and moving up to 71.9% in 2011-12.

Also on the rise is the number of Pencader students making adequate annual growth to maintain or achieve proficiency within three years or by 10th grade. Forty percent of students demonstrated adequate growth for Math in 2010-11. The following year – 2011-12, the number of students demonstrating adequate growth in Math increased to 60.9 %. Therefore, 20% more students are making adequate growth to achieve proficiency after one year of instruction at Pencader. Similar growth is demonstrated in ELA. The percentage of Pencader students making adequate annual growth to maintain or achieve proficiency moved from 42.4% in 2010-11 to 58.2% in 2011-12.

Pencader is demonstrating progress on state examinations in ELA. When compared to other schools in the state, Pencader is closing the gap between themselves and other schools in the district in Math and matching the scores of other schools in the district in ELA. Specifically, between 2010-11 and 2011-12, Pencader narrowed the performance difference in Math from 7.9% to 7.4 % and closed the gap in ELA by moving from being 11.8% lower than other schools in the district to scoring .6% higher than other schools in the district.

A comparison to other schools in the state on state examinations in math and

reading shows there is work to be done. Pencader students scored 15% below other schools in the state in math and 10% below in reading.

b. Student Achievement in Demographic Subgroups

The number of low socio-economic status students achieving proficiency on state examinations in math increased 10.6% from 2010-2011 to 2011-2012. There was a higher increase of these students demonstrating proficiency in ELA. The number of low socio-economic status students achieving proficiency on state examinations in ELA increased 17.6% from 2010-2011 to 2011-2012.

The number of African American students achieving proficiency on state examinations in math increased from 35.6% in 2010-11 to 48.3% in 2011-12. In ELA, the number of African American students achieving proficiency increased from 35% in 2010-11 to 54.6% in 2011-12. Accordingly, the number of African American students achieving proficiency rose 12.7% in Math and 19% in ELA from 2010-11 to 2011-12.

Students with disabilities, English Language Learners, Asian-American, and Hispanic subcategories were not reported because the total subgroup population was less than 30.

c. State and Federal accountability

Pencader met Adequate Yearly Progress (AYP) in both the 2010-11 and 2011-12 school years.

d. Post-Secondary Readiness

The Delaware Academic Performance Framework indicates thirty students were tested on the SAT for 2011-12 which is an increase of 28 students from the previous year. Approximately 8 students or 25.86% of those tested on the SAT in 2011-12 scored 1550 or better.

e. **Graduation Rates**

The graduation rate at Pencader increased from 84.7% in 2010-11 to 86.1% in 2011-12 as reported on the Delaware Academic Performance Framework.

f. **Summary and Overall Rating**

Pencader is improving. The school improved in eleven categories of the Delaware Academic Performance Framework from 2010-11 to 2011-12. For example, they moved from having six F (Falls far below the standard) ratings in 2010-11 to one F rating in 2011-12. There was also improvement in two categories from the rating of D (Does not meet standard) to M (Meets standard).

Pencader also improved the number of categories in which they earned an M (Meets standard) rating. In 2010-11 Pencader earned three ratings of M (Meets standard) and in 2011-12 increased the number of M (Meets standard) ratings to five.

The summary and overall rating shows that Pencader's lowest performing students – those in the lowest quartile, earned M (Meets standard) for attaining their fall to spring instructional growth targets.

**2. Qualitative Information-Student Success Stories**

In addition to the quantitative data, there are many individual student success stories that show that Pencader presents a valuable educational alternative. Some of these are detailed at Tab 3.

**3. MBA Research and Curriculum**

A concern was raised about fidelity of the MBA Research and Curriculum Center's High School of Business program with our instructional model. This program is in full alignment with part of Pencader's mission which is to challenge our business students at the highest possible

levels. The High School of Business program (HSB) offered through the MBA Research & Curriculum Center is designed like a college business administration program, and provides an avenue for reaching honors level students who plan to major in business in college. This program teaches academic concepts in the context of real world business problems using standards-infused project-based learning. HSB classes are offered over a period of four years to ensure that each student has the opportunity to complete the program. In the final course called Business Strategies, senior-level student teams use the knowledge and skills gained in all of the previous courses to implement their new business idea. Each of the five courses preceding this capstone course includes part of a program-long project. In addition, each student has the opportunity to see business in action. Observing a senior-level business executive not only puts coursework into action, it can create a visual career goal for students.

Goals and strategies are discussed below in Part 6, B, 1. Training is provided by renewable grants. We have \$2508.50 remaining from FY 12 and \$9245 for FY 13. Expenses to date are as follows: \$7250 MBA, \$1509.90 MBA, \$2620.64 Scholastic, and \$1110.96 conference reimbursements. The financial information concerning the grants is provided by Innovative Schools who manage our back office financial operations. Information on Vision 2015 Network is set forth in the next section.

## **IV CRITERION 6: EDUCATIONAL PROGRAM**

### **A. The Charter Accountability Committee found that:**

“The Committee discussed Pencader's response to this Criterion and made the following comments.”

- During the Initial Meeting, the school representatives described Pencader's participation in the Vision Network; however, the response did not include any details about continued participation or how it will complement the MBA Research and Curriculum program.
- The Preliminary Report noted the Committee's concern about the impact of financial cuts on the educational program. The school's response to this Report indicated that “The Formal Review status does not seem to have impacted the students to any degree that is outwardly noticeable.” Results from the teacher and student surveys included in the school's response indicate otherwise.
- The school's response aligned with the school's current performance agreement. The school did not reference its results on the Performance Framework that is now in use.
- In the response, Pencader noted that business students need skills in accounting and bookkeeping, not necessarily algebra and geometry. The Committee noted that students in high performing schools are required to take algebra and geometry.
- Concerns were noted about the low pass rates (38.5%) for Advanced Placement (AP) tests and that Pencader's pass rates are significantly below the State average. Additionally, fewer than half of the students in the AP classes take the test and that there are a considerable number of students scoring a one or two on the tests (based on a 1 to 5 scale).
- The Committee had questions about the fidelity of implementing the AP curricula and did not find any goals and initiatives to improve student learning and results in the response.
- The school conducted a student and teacher survey. In the response to DOE, Pencader included the results but not the questions.

“The Committee concluded that Criterion Six remains not met.”

### **B. Response to Criterion 6 concerns:**

#### **1. Vision 2015 and Curriculum Development.**

In the fall of 2011, Pencader joined the Vision 2015 network. Our school was paired with former principal Diane Stetina to begin the process of empowering a select group of teachers to change the educational climate in such a way to improve student achievement. School change is a slow and, sometimes difficult, process. For that reason, schools are part of the formal

Vision 2015 program for three years. During the 2011-12 school year, our first as a member of the Vision 2015 network, the faculty members that comprised the Instructional Leadership Team (ILT) laid the foundation for such change.

Attached at Tab 4 – is a letter from Vision Network’s Interim Executive Director, Lois Hobbs, confirming Pencader’s active participation in the program. Ms. Hobbs notes that “Pencader has been a part of the Vision Network for the past two years and we have seen significant growth and leadership in their team over that time.” Ms. Hobbs further noted that:

This team has expanded both in size and responsibility over the last two years, and is now a formidable asset for change in their building. Together they have developed a school wide instructional focus, deeply informed by their student achievement data, and has begun implementing instructional improvements that target their needs.

They have done this work, and stayed focused, while the challenges of the school and its former leadership, have played out in public. This is obviously trying for teachers, but they have remained committed to improving their school, and indeed some of the initial team members have taken on significant leadership roles in the school over the last year. Their hard work has put this school on the right path to a strong academic program.

Also in the fall of 2011, as confirmed in Ms. Hobbs letter, the ILT worked with the faculty to create an instructional focus that was a common theme throughout each discipline of the curriculum. The faculty selected “critical thinking” as our focus, and the ILT began the task of developing a plan for promoting the new instructional focus and tracking its effects on student achievement. The first task involved utilizing regularly scheduled faculty meetings, professional development days, and regularly scheduled ILT meetings. The second involved creating Professional Learning Communities (PLC’s) within each academic department. The PLC’s met every week with our assigned data coach to learn how to analyze DCAS data from the state site, develop assessment tools within each teacher’s classroom, and critique whether the assessments each teacher was using truly promoted critical thinking. In addition, the PLC’s conducted the first

set of peer walkthrough observations to allow teachers to become comfortable with the idea of receiving feedback from peers that was separate from the formal teacher evaluation process.

This work has carried over into the current school year, our second with the Vision network. Now, the ILT is charged with taking the accomplishments of the previous year and making sure they become a permanent part of the building culture. The ILT is now a mixture of teachers who have been with the program since the first year and others who have replaced those lost through attrition. The ILT continues to attend the monthly Vision meetings and meets after school each week to plan professional development sessions and set agendas for the PLC's. Peer walkthroughs have continued, and the ILT has developed a form that is completed by each observing teacher. The form contains a rubric for determining the extent to which the teacher is incorporating the instructional focus, as well as ample space for constructive feedback. Teachers have been encouraged to communicate with the colleagues they observed so to provide a helpful level of feedback. Another round of walkthroughs will be conducted later in the winter. In addition, PLC's continue to meet with a data coach on a bi weekly basis, and spring PD days will contain sessions on promoting student efficacy and growth mindsets.

The work of the ILT and PLCs coincide with Pencader's DCAS scores in fall 2011 and spring 2012 showing more students achieved academic proficiency in Math and Reading. Thirty percent more students demonstrated academic proficiency in Math and 20% more students in Reading according to 2011-12 test data. There were also more 10<sup>th</sup> grade students demonstrating academic proficiency from fall 2011 to spring 2012. Twenty seven percent more of 10<sup>th</sup> grade students demonstrated academic proficiency in Reading and 24% more students in Math.

## **2. Other Academic Partnerships.**

The school has other partners such as Eastern High School in Louisville, Kentucky from its involvement in the MBA/HSB (High School of Business program.) Pencader staff is in contact with Eastern at least 4 times per semester with questions such as curriculum pacing or as a sounding board. There are HSB conference calls during the semester one per month covering curriculum questions and to discuss hurdles that may be hindering the teaching process. Staff also has HSB wiki-space where information is freely shared. Junior Achievement is partnering with Pencader and offering their acclaimed array of programs for our use as well as their expertise in the areas of business, finance and economics education. As noted above, we are an active member of the Vision 2015 alliance.

Finally, we are in discussions with a score of businesses that will help us in areas such as curriculum development, on site coaching and mentoring, and job shadowing. Our objective is to create a learning environment that mirrors our mission, is creative, challenging, and hands on. Our school's robust approach to business and finance will attract a student who wishes to pursue a career in those fields. Of course, we will need the ensuing months to assimilate the many opportunities that we are now creating to mold a cohesive and well thought out delivery system. The decisions we will be making are critical to the success of our programs and need thoughtful consideration by the board and its strategic partners who include parents, students, business, staff, and community.

## **3. Proposed Curriculum Enhancements**

The new Board is actively engaged in the process of enhancing the curriculum to ensure that it is fully aligned with the school's mission. As noted above, it has already secured

agreements with Junior Achievement of Delaware to partner in the development of business education programs. Proposed additional enhancements targeted at entrepreneurship and the foundations for business leadership are set forth in Tab 5. Specific skills, goals, and actions have been established.<sup>1</sup>

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<sup>1</sup> Student and teacher survey results are attached at Tab 6 as requested.

## **V. CRITERION 7: SERVING STUDENTS WITH SPECIAL NEEDS**

“The Committee noted the following.”

- This Criterion was considered "not met" at the Preliminary Meeting primarily because of an administrative complaint filed with the DOE's Exceptional Children Resources Work Group.
- The concerns at the time centered on Pencader staff demonstrating a lack of understanding about when a student may evidence a disability that requires a special education evaluation. Under the Individuals with Disabilities Education Act (IDEA), the school has a duty to recognize when any student may be in need of special education services and/or need to be evaluated to determine if s/he is eligible.
- The school has provided evidence of a training program being in place for staff relative to special education requirements and an attorney, well-versed in educational programs, is available to the school.
- Additionally, the school has instituted a change of leadership within the special education program and it is clear through submitted documentation that the new leader for special education has an understanding of the requirements and the complaint process. This new leader is working with the teachers. Pencader plans to hire three additional Para-educators to support the special education teachers and to monitor practices.
- DOE will continue to monitor the school to assure that the new practices are implemented with fidelity and are sustained over time.
- Finally, in the complaint decision, DOE directed the school to institute the Instructional Support Team model that is a State requirement and used in many other states. This is a process to ensure that students are receiving a special education evaluation or intervention when needed.

“The Committee concluded that Criterion Seven is met.”

## **VI. CRITERION 8: ECONOMIC VIABILITY**

### **A. The Charter Accountability Committee Found that:**

“This Criterion was deemed as “met” during the Preliminary Meeting; however, considering a new curriculum and organizational structure, the Committee had concerns about how these changes affect the school's budget.”

The Committee noted the following.

- The school's response did not describe how the new curriculum, organizational structure, the AVID program (Advancement Via Individual Determination), and summer programs will impact the budget.
- Litigation concerning special education issues is being settled and Pencader may need funds for additional services to students; however, the school could use existing teachers instead of out-sourcing these services.
- The Board ought to have provided a new budget; have been more proactive; and made certain to communicate any new data.
- There is not a clear plan for student recruitment. Considering recent events, Pencader needs a very clear process to recruit students and thus increase revenue to the school.

The Committee concluded that Criterion Eight is met with a condition.”

In the event that the charter is not revoked, Pencader shall provide a revised budget to clearly delineate how the school will remain financially viable based on existing costs, projected additional costs, any changes to the staffing structure, as well as a realistic appraisal of student recruitment efforts to increase student enrollment.

### **B. Response to Criterion 8 concerns:**

The Committee initially found that Pencader met Criterion 8, Economic Viability.

Without prior notice or an opportunity to be heard on the subject, however, the Committee added the above referenced condition. Without notice that the Committee was even considering the issue, the Committee criticized the Board for not providing the above described information. Needless to say, given that the Economic Viability Criterion had been met, the Committee's criticism in its final report came as a complete surprise. As a result the Committee was unaware that the Board had *in fact* already taken many of the steps that the Committee suggested.

Despite the irregularity in the Committee's approach to this issue, the Secretary

and the State Board of Education should know that the new Pencader Board is fully aware that the school must operate within the financial resources available to it. The Board is faithfully monitoring the financial situation.

Mr. Bentz submitted a financial report to the Board at its last meeting on January 24, 2013. He reported that with appropriate ongoing attention to expenditures, the school is on target to meet all financial commitments and perhaps end the school year with a small surplus. Mr. Bentz noted, and the Board fully appreciates, that funding is tight and careful attention to expenditures is required. Mr. Bentz and Mr. Quimby meet with DOE and Charter School officials once per month to ensure compliance with budgetary constraints. As noted above, Mr. Bentz has agreed to conduct a special training program for the Board on Delaware public school finance as part of the Board's ongoing training initiatives.

With respect to the Committee's reference to expenses associated with special education matters, the Board had already terminated the school's contract with Helter Bay Associates *before* the final Accountability Committee meeting on January 4, 2013. It was *already* using existing teaching staff to handle special education matters as the committee later suggested in order to keep such expenses to a minimum.

As noted by the Charter Accountability Committee, the school has met Criterion 7 with respect to serving students with special needs. Among the steps taken prior to the final Accountability Committee meeting was the training of the entire faculty on special education issues.

With respect to budgeting, the process for next fiscal year begins with a preliminary budget to be prepared by Innovative Schools in May. The preliminary budget will be set at that time in accordance with the established procedures. The Board will continue to rely on the expertise of Innovative Schools in this process. If the charter is not revoked, the hiring of the

permanent leadership team will be within the confines of the FY 2013-2014 budget. The Board will continue to work with Mr. Bentz to ensure that it continues to operate in a financially responsible manner and all expenses, including those associated with hiring a permanent leadership team, are fully accounted for.

## **VII. CRITERION 9: ADMINISTRATIVE AND FINANCIAL OPERATIONS**

### **A. The Charter Accountability Committee Found that:**

“The Committee noted the following.

- Although the Committee requested at the Initial Meeting that the Board and the school involve parents to increase transparency in communication, the response did not indicate involvement of parents.
- A concern about the lack of a concrete plan for student recruitment. The school's response provided some action steps and a brochure but did not include any measurable goals to evaluate the effectiveness of the recruitment efforts and there was no mention of what outreach has worked in the past.
- The Committee noted little evidence of parental involvement; recruitment events not being well attended; and a lack of information about the recruitment events themselves, e.g., how the school notifies parents about the events and the school's current status.

The Committee concluded that Criterion Nine is not met.”

### **B. Response to Criterion 9 concerns:**

#### **1. Transparency and Parental Involvement**

Since the creation of the new Board, parental involvement at Pencader has significantly improved. While attendance at Board meetings is not at the level the Board would like to see, those in attendance are affirmatively engaged and supportive of the new Board's initiatives to turn the school around. This is indeed a sea change from the acrimony that characterized Board meetings at the start of the school year.

The new Board and Administration have been clear and transparent in communications with the school community. The Board has directly communicated, and believes that parents and students are fully informed, that the school faces closure at the end of the year as a result of the charter review process. Parents and students are fully informed that the Charter Accountability Committee has recommended revocation of the school's charter.

To increase communication and parental involvement, we have been successful in reaching the parents in various ways in addition to Board meetings. Mr. McIntosh and other

members of the new Board have held several “parent night” meetings. Attendance at each meeting has steadily increased. The last meeting was scheduled off site in the Bear, Delaware area to allow parents who do not live in the immediate proximity of the school the opportunity to attend. Approximately 100 parents attended.

We have also used athletic events to reach out to parents. Our PTO, Administration, and several members of the new Board of Directors have made it a priority to be at as many athletic events as possible to interact and communicate with the parents.

We also communicate to the parents via the parent e-mail system, our website [www.pencadercharter.net](http://www.pencadercharter.net) and our global connect system.<sup>2</sup> The website is constantly updated with information and parent e-mails go out whenever there is an update regarding the school especially for upcoming events. The PTO has utilized their Facebook page to assist in keeping the parents and students updated with information, and as a result our Facebook “likes” have increased from 98 at the end of the 2011-2012 school year to 253 as of February 1<sup>st</sup>.

Using the students as part of the information chain is also key to keeping the parents involved. With the diverse student population at Pencader we are also partnering with several ethnic community associations to have help in translating our material into several different languages.

The new Board of Directors and Administration is committed to transparency and constant communication regarding the status of the school. We will continue to hold monthly parent information meetings and issue e-mail updates concerning the status of the school, including the use of off-site locations for parent meetings to accommodate our families who do not live in the immediate vicinity of the school. In short, Pencader is 100% committed to keep our parents informed, involved and engaged.

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<sup>2</sup> As noted above, we are addressing website issues.

## **2. Student Recruitment**

One of the most important factors in maintaining a viable charter school is the ability to recruit and retain students. Most of our financial support will come from the state and federal governments, based on a per-pupil allotment.

### **a. Short-Term Recruitment Tactics:**

If our charter is not revoked, we will undertake as we have in previous years a number of specific marketing initiatives in support of our recruitment efforts. We will participate in all of the festivals that we attended last year as well as other events. These include:

- Rockwood Ice Cream Festival
- Newark Day
- Liberty Day at the Bob Carpenter Center
- Newark Community Day
- Delaware City Day

Approximately 30 students attended Pencader last year as a direct result of the above described.

We will also continue to work with all middle schools and organizations such as PAL, Boys & Girls Club, Chinese American School, Indo-American Association of Delaware and the Islamic Society of Delaware to distribute our information and applications.

In a related effort, we are planning a Multi-Cultural Family Celebration in conjunction with various community associations. The program will include performances from students and outside groups. The program will include a full day of events and performances to be advertised throughout New Castle County. We will also work with local businesses to sponsor various portions of the event.

In March, the students are holding a contest for development of a student video to use in our marketing efforts.

As noted above, there are issues with the school website that must be resolved.

Once completed, the updated website will include the ability for students to register online.

b. Long-Term Student Recruitment Strategies:

1. Overview.

Our long term student recruitment strategy requires, in our view, the following:

- Conduct market analysis
- Develop admissions/enrollment policies
- Recruit students
- Receive applications
- Determine admission, by lottery, if necessary
- Collect completed enrollment forms
- Create/maintain waiting list, if necessary

Because of the open admissions policy, charter schools must be prepared to serve a wide variety of students, including, for example, those with special needs, limited English language proficiency or who are performing below grade level. Charter schools must be flexible, and understand that their actual student population may differ from the population they thought they would serve. In reality, some families choose schools for reasons unrelated to the specific program offered, such as proximity to home or work, or the attendance of their children's friends.

As part of the application process, it is important that a charter school make sure that families understand the school's program, so they can choose the school that best serves their children's interest and needs. Charter schools must employ a variety of strategies to ensure that families clearly understand the school's programs and can assess whether it is a good fit for their child. These might include community presentations, interviews, school visits and written materials. Some schools offer prospective students the opportunity to spend one or more days at the school. This strategy may be particularly valuable for schools implementing less traditional or

less well-known strategies, like project-based learning or the Montessori method.

The school choice movement has taken hold in Delaware, and families have a number of K-12 options. While offering options is clearly positive for students and families, the competition created by these options makes it especially important that each charter school have a strong student recruitment program.

Before recruiting the school leadership must:

- Have a clear vision and mission that it can communicate to the intended audience.
- Focus on the school's strengths, but don't "over promise." Be honest and realistic. Nothing hurts a school more than being unable to deliver on significant elements of the program.
- Where appropriate, use hands-on activities to help families understand the school's program.
- Develop a clear, succinct brochure and other marketing materials that describe the program. It doesn't have to be fancy or expensive, but make sure it is well written and appealing. Likewise, a well-functioning web page where students and families can access information about the school is important.
- Often a more targeted recruitment effort is more successful than a wider effort. For example, running ads in a neighborhood newspaper may generate more interest than those in a major paper.
- Use parents and students. They will be your best recruiters.

## 2. Specific Actions.

We have reviewed and are working with other successful Delaware charter schools to improve our recruiting. Representatives of the Charter School of Wilmington have been particularly helpful.

### a. Change in Name of School.

The Board believes that a change in the name of the school is advisable for several reasons. First, our understanding is the name "Pencader" was selected because the original founders intended to locate the school in the vicinity of Newark. Apparently, they were unable to secure the location that they expected and instead opted to locate the school in the New Castle

area. The chosen location is in a beautiful setting overlooking the Delaware River. The physical plant is excellent but the name “Pencader” is at best confusing.

Second, the school has been the subject of negative media attention resulting from the turmoil described in the introduction. Because of this negative attention, much like “AIG” became “Chartis,” the marketing committee has recommended to the Board that the school be renamed, effective September 2013. The proposed name is the “Delaware Business Academy.” This name is recommended as a result of qualitative research conducted with students, parents, and teachers in the Pencader community.

The proposed name change is more than a symbolic act. It will serve to redefine and focus the school’s mission as Delaware’s only charter high school dedicated to education in business.

The school colors and the mascot (“Titans”) would be retained because they are unaffected by the negative media attention and retaining the colors and mascot will reduce the cost of the name change. Sports equipment and other school symbols - helmets, uniforms, clothing, etc. - refer to the mascot name “Titans”, not Pencader. The dollars to rebrand the school’s signage, applicable clothing and marketing materials will be taken from the Supplies and Materials and Promotional Supplies parts of the budget.

The primary expense will be the signage in the front and throughout the school. The cost for changing the first sign would be relatively nominal. A volunteer has agreed to rebuild and replace the sign seeking only reimbursement for the cost of materials. Because uniforms, clothing, and marketing materials are constantly produced, the name change will not have a major impact from a budgetary standpoint. It is also an excellent opportunity to engage the community as they learn about the newly branded school.

b. Seek Positive Attention in the Local Media.

The marketing committee believes that an untapped resource for Pencader is the use of local free media opportunities to send a positive message about Pencader. Resources such as the News Journal, Delaware Today, Brandywine Signaturc, Spark, WDEL, and others are valuable resources in this initiative. Our mission must be clearly defined and succinctly communicated to recruit students whose interests are aligned with its programs. We will also be discontinuing the monthly allocations of marketing funds to Delaware Today and other paid magazines and newspapers. Instead we will focus on using social media, free papers, and working to visit middle schools.

We also announce school events through public service listings such as local newspaper and radio stations. We are also planning a series of seminars for prospective parents to learn about the school.

c. Education, Business, and Community Outreach.

As noted above, representatives of the Charter School of Wilmington and others have rallied to assist us in this most difficult time. We plan to continue our outreach efforts with such top performing schools to improve school operations, including recruitment and retention of students. The Delaware Charter School Network has also provided great support as the new Board focuses on the School's turnaround. We plan to make use of the Network's resources to promote the advantages of our school to further its mission. We plan to use our membership in the New Castle County Chamber of Commerce to expand our relationship with the business community.

## VIII. CONCLUSION

The 2012-2013 school year has indeed been a tumultuous period for Pencader Business and Finance Charter School. While the public officials responsible for reviewing the grant of the school's charter have legitimate concerns, the school's problems have resulted from unacceptable actions of the previous leadership, not from the actions of the faculty, students, parents, and the school community at large. Great progress has been made in the few months since the reconstitution of the Board in November 2012. The turnaround has begun.

In making this weighty decision, the Secretary, the State Board, and the responsible public officials must, of course, balance many factors but paramount among these should be the interests of Delaware's high school students. A decision to revoke the charter is irrevocable. The school simply ceases to exist. A decision to continue the charter for another year gives the school's new Board, in conjunction with the dedicated teaching staff, the opportunity to continue to transform Pencader into the school that it was meant to be.


We respectfully request that chance.

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Pencader Charter School  
Board of Education

February 5, 2013  
5:00-7:00 PM

"Achieving a Peak Performing  
Governance Team"

 Steven H. Godowsky

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**"Achieving a Peak Performing Governance Board"**  
Pencader Charter School

I. Welcome & Introductions      Frank McIntosh  
   Steven Godowsky

II. Overview and Purpose of Workshop

- ☐ Essential Questions
- ☐ Meeting Norms

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Workshop Agenda (continued)

III. Pencader Charter School Goals & Challenges

IV. Governance Team: Basic Characteristics

V. Governance Model: A Framework

VI. Key Governance Team Principles

VII. Standards of Operating Practice

Break

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Workshop Agenda (continued)

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- VIII. Case Study Review & Discussion
- IX. Discussion on Standards of Operating Practice & Communication Protocol
  - ☐ Reaching Consensus on an Agreement
- X. Summary
  - ☐ Final Thoughts – For the Good of the Cause

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**Essential Questions:**

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- ☐ How do we as a governance board achieve the goals of the Pencader Charter School for the benefit of our community, especially our students?
- ☐ How can we as a governance board improve communications and standards of operating practice for the benefit of our Pencader Charter School community, especially our students?

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**Meeting Outcome:**

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- ☐ To create a peak performing governance board at the Pencader Charter School
- ☐ To reach consensus among Board of Education members on a protocol for communications and standards of operating practices.

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### Meeting Norms:

- We will...
  1. Silence all cell phones and other electronic equipment.
  2. Respect one another by listening, by having one conversation at a time, and by considering matters from each other's perspective.
  3. Actively participate and contribute to discussions and meeting activities.  
"Everyone participates, no one dominates."
  4. Keep sidebar conversations to a minimum.

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### Pencader Goals and Challenges

- As a board member and in your own words, write one goal that you want the Pencader Charter School to achieve.
- As a school board member and in your own words, write one challenge facing Pencader Charter School.

Directions:

1. Write your goal and challenge statements on post-it notes (2).
2. Statements are short, to the point – for discussion purposes only!
3. There will be no explanation or justification of goals and challenges.
4. Place your cards – post it notes on the wall when finished.
5. Brief discussion of posted goals and challenges.

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### Peak Performing Governance Teams - Five Basic Characteristics

1. Team members are united by their commitment to the service of children.
  - One primary motive – to serve the best interest of children.
2. The board and head of school have an interdependent relationship.
  - Everyone on the team understands the "ownership" role of the board and the "professional management" role of the head of school.
  - If the governance team wants to make good things happen for students, they all need to work together in a spirit of cooperation.

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### Peak Performing Governance Teams/School Boards- Five Basic Characteristics (continued)

3. Indicators of success are established for the district.
  - The governance team has adopted statements of mission, vision, and guiding principles for the district.
4. Governance board relationships are based upon trust and respect.
  - The governance team owes it to the taxpayers, parents, and the children of the school community to be the most effective governing body they can be. That doesn't mean that everyone will always agree- there will and should be healthy disagreements along the way.
  - Governance board behavior sets the tone for the entire school community.

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### Peak Performing Governance Teams/School Boards- Five Basic Characteristics (continued)

5. The governance board has developed strong and durable linkages with the community.
  - The board understands that they are the "owners" of the district on behalf of the school community.
  - The board expects that the head of school will make quality services to their constituents a priority, and that well-defined channels of problem-solving are available to the school community.

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### Governance Model: A Framework

- School Boards govern through policy in four basic areas:
  1. **The Board's Processes:** These are the basic understandings of how the board will conduct its business.
  2. **The Board-Head of School Relationship:** These are the understandings the board has with the head of school.
    - The board has a supervisory relationship with only one staff member – and that's the head of school.

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## Governance Model: A Framework

3. **Ends:** These policies establish the purpose and intended outcomes of the organization. They define the district's mission, vision, indicators of success, metrics, and how people will be held accountable.
4. **Means:** These policies establish limitations on the head of school's and staff's autonomy in achieving the charter school's ends.
  - Boards prescribe the Ends, but provide as much autonomy and do as little micromanaging as possible regarding the Means.

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## Key Governance Board Principles

1. The board "owns" the organization as appointed representatives of the school community, to whom it is accountable. Therefore, the primary relationship the board has is with the school community – not the staff, faculty or students.
2. The board employs a head of school, with whom it shares the ownership, and to whom it delegates leadership responsibility and the day-to-day management of the school.

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## Key Governance Board Principles

(continued)

3. The head of school is the only employee of the charter school who reports to the board, receives direction from the board, and is evaluated by the board.
4. The board speaks with one voice or none at all.
5. The board should prescribe the ends for the district, but stay out of the means.

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### Key Governance Board Principles

(continued)

6. The board holds the head of school accountable for progress toward its identified indicators of success or ends.
7. Performance of the head of school must be monitored, but only against established criteria.
8. The head of school recognizes the board's need to receive adequate and timely information for decision-making and for monitoring improvement on the indicators of success.

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### Key Governance Board Principles

(continued)

9. The head of school must assume responsibility for engagement of faculty and staff in the planning and decision-making processes.
10. The board and the head of are jointly responsible for developing and maintaining effective processes for communication, decision-making, and handling of issues that may come before the board.

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### Summary: Governance Board Principles

- |   |   |
|---|---|
| 1. Board as "owners"                                    | 7. Performance of Head of School monitored against criteria |
| 2. Head of School as manager                            | 8. Head of School provides information to the Board         |
| 3. Only Head of School reports directly to the Board    | 9. Head of School engages faculty & staff                   |
| 4. Board speaks with one voice or not at all            | 10. Board & Head of School joint responsibility:            |
| 5. Board prescribes the ends but stays out of the means | 1. Communication  |
| 6. Board holds Head of School accountable               | 2. Decision-Making  |
|   | 3. Handling Issues  |

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### Standards of Operating Practice: Code of Conduct

- All decisions will be based on what's good for students.
- Members will not use their positions for personal gain.
- The board will focus on policy work and not the day-to-day operations of the school district.

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### Standards of Operating Practice: Code of Conduct (continued)

- Members will always treat each other with respect in public.
- Members will properly handle or refer any complaints or issues to the head of school or his/her designee for resolution.
- Members will maintain the confidentiality of closed session information.

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### Communication Protocols

- Mutual understandings and expectations about how the board and superintendent will:
  1. Keep each other informed
  2. Handle their differences
  3. Communicate with each other (specific communication channels)
  4. Respond to complaints or problems
  5. Support each other in public

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### Standard Operating Practices: The Budget

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**“ The budget represents the school's priorities expressed in numbers”**

*Gloria Johnston et al, The Superintendent's Planner, 2009*

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### Standard Operating Practices: The Budget

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**Monitoring the Budget:**

	YES	NO	Ranking
• Head of school and board members regularly communicate about the budget and monitor it throughout the year	<input type="checkbox"/>	<input type="checkbox"/>	—
• Develop a communication plan about the budget to be shared with board members and stakeholders	<input type="checkbox"/>	<input type="checkbox"/>	—
• Establish a board finance committee that includes 2-3 board members, head of school, business manager to proactively plan budget, while monitoring current budget status	<input type="checkbox"/>	<input type="checkbox"/>	—
• Finance committee to meet prior to the monthly board meeting	<input type="checkbox"/>	<input type="checkbox"/>	—
• Develop monthly budget summary to be shared publically at board meeting	<input type="checkbox"/>	<input type="checkbox"/>	—
• Develop budget summary using jargon-free language with a user friendly document that provides a clear picture of current budget status	<input type="checkbox"/>	<input type="checkbox"/>	—

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### Standard Operating Practices: The Budget

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**Budget Forecasting:**

	YES	NO	Ranking
• Interpret State budget projections and the impact on the school – including levels of federal funds, student (unit) count enrollment, and other revenue	<input type="checkbox"/>	<input type="checkbox"/>	—
• Finalize the budget planning calendar with Board input	<input type="checkbox"/>	<input type="checkbox"/>	—
• Schedule board workshops or retreats to review projected budget and establish priorities	<input type="checkbox"/>	<input type="checkbox"/>	—
• Align budget with the school's long-range goals and/or strategic plan	<input type="checkbox"/>	<input type="checkbox"/>	—

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## Standard Operating Practices: The Budget

### Budget Planning

- |   | YES                      | NO                       | Ranking |
|---|--------------------------|--------------------------|---------|
| Review previous budget(s) and expenditure histories for patterns                      | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Finance committee to review budget recommendations – present recommendations to board | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Formulate budget goals and assumptions for the next fiscal year                       | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Compile budget requests from school leaders and departments chairs                    | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Review tentative budget with board members – input allows for additions/corrections   | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Review final budget adoption plan and timelines                                       | <input type="checkbox"/> | <input type="checkbox"/> | —       |

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## Standard Operating Practices: The Budget

### Budget Adoption

- |  | YES                      | NO                       | Ranking |
|--|--------------------------|--------------------------|---------|
| Complete and update all budget assumption and projections  | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Share the proposed budget with school leadership team and school stakeholders                            | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Consider an additional board workshop if budget needs clarification or if unforeseen circumstances occur | <input type="checkbox"/> | <input type="checkbox"/> | —       |
| Approve the budget on time and as scheduled  | <input type="checkbox"/> | <input type="checkbox"/> | —       |

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## Case Study Review and Discussion

### Activity

- Break up into groups.
- Each board member reads your group's case study.
- In groups, discuss the case study and prepare to recommend a course of action.
- Each group will report out.
- All members will read Case Study 4, then discuss in your groups & report out as above.

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### Case Study Review and Discussion

#### □ Case Study 1: Legal

□ A parent believes their child was not given due process with regard to an Individual Education Plan (IEP). The parent contacts a board member directly, asking her to intervene and threatens to sue if somebody doesn't resolve her problem now. How should the board member handle this situation? Does the board have procedures for handling complaints? Should the board member get involved with this matter? If so, when and why, and if not why or why not?

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### Case Study Review and Discussion

#### □ Case Study 2: Evaluation of Personnel

□ A teacher has been identified as a marginal teacher. A board member requests access to the personnel file in order to read and have input into the teacher's evaluation. What are your feelings about board members' involvement in staff performance evaluations?

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### Case Study Review and Discussion

#### □ Case Study 3: Cell Phone Policy

□ A number of students and parents have contacted the head of school and certain board members wanting to change the rule on cell phones, which does not allow them to be used on school property. The policy is five several years old and was written well before the invention of smart phones. How should this issue be handled by the school board and head of school? Consider the ends and the means.

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## Case Study Review and Discussion

### Case Study 4: Board Member and Parent Meetings

Ms. I. Care is a parent with one child in the school. As a result of her interest and involvement in parent-school activities, she was appointed to the school board. After a few months on the school board, she is asked by a neighbor to accompany her to a parent-teacher conference as an advocate. The neighbor has a complaint against her son's ninth grade teacher, who is gruff and very demanding of her students. The teacher has a reputation of not being student friendly. According to published reports, the teacher's students perform as well or better when compared to other ninth grade classes on state assessments. The neighbor requested that the new board member be at the meeting to "balance the power," and to make sure the dean of students, who will facilitate the meeting, hears her complaints. The neighbor stated prior to requesting the meeting that, "a conference is a waste of time since they won't do anything". The board member agrees to be part of the meeting to straighten this situation out.

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## Operation and Communication Practices: How We Do Business

Situation	Best Practices
1. How the board meeting agenda is developed and reviewed and by whom:	
2. Placing items on the board meeting agenda:	
3. Responding to staff or community complaints or concerns at board meetings:	
4. Communications between and among the board, board members, and the head of school:	
5. Communications between the board and other staff:	
6. Responding to community or staff complaints or concerns outside of Board meetings:	
7. How, when, and whom to notify about visiting the school or participating in school activities:	

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## How We Do Business

Working in pairs, review each assigned situation and discuss what you consider best practice.

Pair A: 1-3

Pair B: 3-5

Pair C: 5-7

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### Governance Operating Practices: How We Do Business

Situation	Best Practices
1. How the board meeting agenda is developed and reviewed and by whom:	
2. Placing items on the board meeting agenda:	
3. Responding to staff or community complaints or concerns at board meetings:	
4. Communications between and among the board, board members, and the head of school:	
5. How is the budget reviewed by board members and when:	
6. Responding to community or staff complaints or concerns outside of Board meetings:	
7. How, when, and whom to notify about visiting school sites or participating in school activities:	

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### Governance Operations Practices: How We Do Business (continued)

Situation	Best Practice
1. How the Board meeting agenda is developed and reviewed and by whom:	Board members and charter school administration submit items to the head of school to be included on the Board agenda. The head of school and Board President discuss and agree on items and timing.
2. Placing items on the Board meeting agenda:	Agenda items need to be submitted no less than eight working days prior to the Board meeting date.
3. Responding to staff or community complaints or concerns at Board meetings:	Acknowledge the complaint/concern. The Board President recommends the head of school investigate, meet with the complainant, and make the appropriate recommendation and/or take the appropriate action.
4. Communications between and among the Board, Board members, and the head of school:	The Board cannot be polled on issues outside of Board meetings. At Board meetings members should express their opinions on issues to other Board members and the public. Be aware of the Public Information Act when using e-mails. You may contact the Board President and Head of School, beyond that may open the possibility of a closed meeting violation.

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### Governance Operations Practices: How We Do Business (continued)

Situation	Best Practice
5. How and when is the budget reviewed:	The budget is reviewed in detail by a board budget committee prior to the monthly board meeting. A summary of the budget is provided to board members and reviewed at the monthly meeting by the business manager/ and or head of school.
6. Responding to community or staff complaints or concerns outside of Board meetings:	Acknowledge the complaint or concern. Ask if they have spoken with the head of school or another school administrator. Ask that they follow the chain of command all the way through and then call you back if not satisfied. Notify the head of school of the conversation.
7. How, when, and whom to notify about visiting the school or participating in school activities.	Contact the head of school as a courtesy before you visit the school.

*Adapted from The Superintendent's Planner*

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### What Standards of Practice and Communication Protocols can we agree to now and in the future?

- Getting consensus on an agreement for Board standards of operating practices and communication protocol
- Develop a plan for publically announcing agreed upon Board standards
  - Review written agreements
  - Consider formal adoption of standards as a policy
    - Draft resolution or guidelines

*\*The content for this workshop was adapted from Peak Performance Governance Teams: Creating an Effective Board/Superintendent Partnership by Tim Quinn, 2010*

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### Standard Operating and Communication Practices of the Pencader Charter School Board of Education SAMPLE AGREEMENT

The Pencader Charter School Board of Education endorses the following Standard Operating Practices and Communication Protocol for school board members.

As a member of the Pencader Charter School Board of Education, I accept the trust and responsibility placed on me to ensure that all students will receive the best education possible. To that end, I agree to the following school board governance standard operating and communication practices.

#### Standard Operating Practices

We will:

- 
- 

#### Communication Protocol

We will:

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We will maintain fidelity to these standards of operating practice and communication protocol commitments and will be held accountable for our actions by fellow board members.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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### Next Steps and Final Thoughts




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IN THE MATTER OF PENCADER CHARTER HIGH SCHOOL

I, Edward Fronczkowski, am a principal at Maillie, Falconiero & Company, LLP, and am a duly licensed certified public accountant.

1. My firm has been retained by Pencader Charter High School to perform an audit of its accounts and various other services.

2. One of the services that apply to Pencader was preparation and filing of IRS Form 1023 for renewal of its tax exempt status.

3. Pencader previously had a tax exempt approval from the IRS but the prior school leadership had failed to take steps to file the appropriate information with the IRS to maintain the school's tax exempt status.

4. As a result, my firm was required to file for renewal of tax exempt on behalf of the school.

5. I understand that there has been criticism of the school for the timeliness of the filing of the appropriate documentation with the Internal Revenue Service with respect to the renewal of tax exempt status.

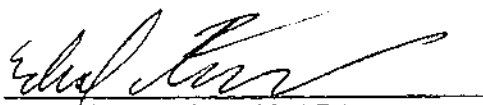
6. Attached hereto as Exhibit A is a true and correct copy of the filing with the IRS. The required documentation is extensive. It cannot be filed until all approved documentation is supplied to the school's representative responsible for signing the application.

7. I worked with the school's attorney, Barry M. Willoughby, Esquire, to complete the due diligence required as quickly as possible to fully, fairly, and accurately submit the required information for submission to the school's representative, Mr. Frank McIntosh, Chair of the Board

8. Mr. McIntosh immediately signed the requisite certifications on behalf of the school after Mr. Willoughby and I completed the required steps to file the application and submitted to him.

9. The application was filed on or about December 18, 2012.

10. I have since received the notification attached as Exhibit B from the Internal Revenue Service stating that it is processing the school's application in accordance with usual IRS procedures. Approval is expected in approximately four months from the submission date.

  
Edward Fronczkowski, CPA

## EXHIBIT A

**FORM 1023 -- APPLICATION FOR RECOGNITION  
OF EXEMPTION UNDER IRC §501(C)(3)  
FILING INSTRUCTIONS**

<b>PREPARED FOR</b>	PENCADER EDUCATION ASSOCIATION 170 LUKENS DRIVE NEW CASTLE, DE 19720
<b>PREPARED BY</b>	MAILLIE, FALCONIERO & COMPANY, LLP
<b>REQUIRED SIGNATURE</b>	REVIEW THE APPLICATION CAREFULLY, THEN THE APPROPRIATE CORPORATE OFFICER MUST SIGN AND DATE THE APPLICATION AND FORM 2848, POWER OF ATTORNEY, WHERE INDICATED.
<b>AMOUNT DUE</b>	\$ 850. MAKE CHECK PAYABLE TO UNITED STATES TREASURY AND RETURN IT TO US WITH THE APPLICATION.
<b>MAIL RETURN BY</b>	AS SOON AS POSSIBLE
<b>SPECIAL INSTRUCTIONS</b>	MAIL THE SIGNED FORM 1023 AND ATTACHMENTS, THE SIGNED POWER OF ATTORNEY, AND A CHECK FOR THE USER FEE TO MAILLIE, FALCONIERO & CO, LLP.  WE WILL MAIL THE APPLICATION TO THE INTERNAL REVENUE SERVICE ON YOUR BEHALF.  RETAIN CLIENT COPY FOR YOUR FILES.

# Form 1023 Checklist

(Revised June 2006)

## Application for Recognition of Exemption under Section 501(c)(3) of the Internal Revenue Code

**Note.** Retain a copy of the completed Form 1023 in your permanent records. Refer to the General Instructions regarding Public Inspection of approved applications.

**Check each box to finish your application (Form 1023). Send this completed Checklist with your filled-in application. If you have not answered all the items below, your application may be returned to you as incomplete.**

- ☒ Assemble the application and materials in this order:
- Form 1023 Checklist
  - Form 2848, *Power of Attorney and Declaration of Representative* (if filing)
  - Form 8821, *Tax Information Authorization* (if filing)
  - Expedite request (if requesting)
  - Application (Form 1023 and Schedules A through H, as required)
  - Articles of organization
  - Amendments to articles of organization in chronological order
  - Bylaws or other rules of operation and amendments
  - Documentation of nondiscriminatory policy for schools, as required by Schedule B
  - Form 5768, *Election/Revocation of Election by an Eligible Section 501(c)(3) Organization To Make Expenditures To Influence Legislation* (if filing)
  - All other attachments, including explanations, financial data, and printed materials or publications. Label each page with name and EIN.
- ☒ User fee payment placed in envelope on top of checklist. DO NOT STAPLE or otherwise attach your check or money order to your application. Instead, just place it in the envelope.
- ☒ Employer Identification Number (EIN)
- ☒ Completed Parts I through XI of the application, including any requested information and any required Schedules A through H.
- You must provide specific details about your past, present, and planned activities.
  - Generalizations or failure to answer questions in the Form 1023 application will prevent us from recognizing you as tax exempt.
  - Describe your purposes and proposed activities in specific easily understood terms.
  - Financial information should correspond with proposed activities.
- ☒ Schedules. Submit only those schedules that apply to you and check either "Yes" or "No" below.

Schedule A	Yes	___	No	<u>X</u>	Schedule E	Yes	___	No	<u>X</u>
Schedule B	Yes	<u>X</u>	No	___	Schedule F	Yes	___	No	<u>X</u>
Schedule C	Yes	___	No	<u>X</u>	Schedule G	Yes	___	No	<u>X</u>
Schedule D	Yes	___	No	<u>X</u>	Schedule H	Yes	___	No	<u>X</u>

- ☒ An exact copy of your complete articles of organization (creating document). Absence of the proper purpose and dissolution clauses is the number one reason for delays in the issuance of determination letters.
- Location of Purpose Clause from Part III, line 1 (Page, Article and Paragraph Number) PG1, ARTICLE 3, P1
  - Location of Dissolution Clause from Part III, line 2b or 2c (Page, Article and Paragraph Number) or by operation of state law PG2, ARTICLE 7, P1
- ☒ Signature of an officer, director, trustee, or other official who is authorized to sign the application.
- Signature at Part XI of Form 1023.
- ☒ Your name on the application must be the same as your legal name as it appears in your articles of organization.

Send completed Form 1023, user fee payment, and all other required information, to:

Internal Revenue Service  
P.O. Box 192  
Covington, KY 41012-0192

If you are using express mail or a delivery service, send Form 1023, user fee payment, and attachments to:

Internal Revenue Service  
201 West Rivercenter Blvd.  
Attn: Extracting Stop 312  
Covington, KY 41011

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

**FORM 2848, POWER OF ATTORNEY**

**Power of Attorney  
and Declaration of Representative**  
▶ Type or print. ▶ See the separate instructions.

OMB No. 1545-0150  
For IRS Use Only  
Received by: \_\_\_\_\_  
Name \_\_\_\_\_  
Telephone \_\_\_\_\_  
Function \_\_\_\_\_  
Date    /    /   

**Part I Power of Attorney**

Caution: A separate Form 2848 should be completed for each taxpayer. Form 2848 will not be honored for any purpose other than representation before the IRS.

**1 Taxpayer information.** Taxpayer must sign and date this form on page 2, line 7.

Taxpayer name and address PENCADER EDUCATION ASSOCIATION 170 LUKENS DRIVE NEW CASTLE, DE 19720	Taxpayer identification number(s) 20-0388633 Daytime telephone number Plan number (if applicable)
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hereby appoints the following representative(s) as attorney(s)-in-fact:

**2 Representative(s) must sign and date this form on page 2, Part II.**

Name and address EDWARD FRDNCZKOWSKI, CPA MAILLIE, FALCONIERO & COMPANY LLP P.O. BOX 3068, WEST CHESTER, PA 19381-3068 Check if to be sent notices and communications <input checked="" type="checkbox"/>	CAF No. 2605-59870R PTIN P01259092 Telephone No. (610) 696-4353 Fax No. (610) 430-8811 Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>
Name and address ROBERT A. HAGENOW, CPA MAILLIE, FALCONIERO & COMPANY LLP P.O. BOX 3068, WEST CHESTER, PA 19381-3068 Check if to be sent notices and communications <input checked="" type="checkbox"/>	CAF No. 0307-21865R PTIN P00069617 Telephone No. (610) 696-4353 Fax No. (610) 430-8811 Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>
Name and address	CAF No. _____ PTIN _____ Telephone No. _____ Fax No. _____ Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>

to represent the taxpayer before the Internal Revenue Service for the following matters:

Description of Matter (Income, Employment, Payroll, Excise, Estate, Gift, Whistleblower, Practitioner Discipline, PLR, FOIA, Civil Penalty, etc.) (see instructions for line 3)	Tax Form Number (1040, 941, 720, etc.) (if applicable)	Year(s) or Period(s) (if applicable) (see instructions for line 3)
INCOME	990, 990N, 990EZ, 990T	2006 THROUGH 2013
INCOME	1023	2006 THROUGH 2013

**4 Specific use not recorded on Centralized Authorization File (CAF).** If the power of attorney is for a specific use not recorded on CAF, check this box. See the instructions for Line 4. **Specific Uses Not Recorded on CAF** ☐

**5 Acts authorized.** Unless otherwise provided below, the representatives generally are authorized to receive and inspect confidential tax information and to perform any and all acts that I can perform with respect to the tax matters described on line 3, for example, the authority to sign any agreements, consents, or other documents. The representative(s), however, is (are) not authorized to receive or negotiate any amounts paid to the client in connection with this representation (including refunds by either electronic means or paper checks). Additionally, unless the appropriate box(es) below are checked, the representative(s) is (are) not authorized to execute a request for disclosure of tax returns or return information to a third party, substitute another representative or add additional representatives, or sign certain tax returns.

☐ Disclosure to third parties; ☐ Substitute or add representative(s); ☐ Signing a return;

☐ Other acts authorized: \_\_\_\_\_

(see instructions for more information)

**Exceptions.** An unenrolled return preparer cannot sign any document for a taxpayer and may only represent taxpayers in limited situations. An enrolled actuary may only represent taxpayers to the extent provided in section 10.3(d) of Treasury Department Circular No. 230 (Circular 230). An enrolled retirement plan agent may only represent taxpayers to the extent provided in section 10.3(e) of Circular 230. A registered tax return preparer may only represent taxpayers to the extent provided in section 10.3(f) of Circular 230. See the line 5 instructions for restrictions on tax matters partners. In most cases, the student practitioner's (level k) authority is limited (for example, they may only practice under the supervision of another practitioner).

List any specific deletions to the acts otherwise authorized in this power of attorney: \_\_\_\_\_

**6 Retention/revocation of prior power(s) of attorney.** The filing of this power of attorney automatically revokes all earlier power(s) of attorney on file with the Internal Revenue Service for the same matters and years or periods covered by this document. If you **do** not want to revoke a prior power of attorney, check here ☐ **YOU MUST ATTACH A COPY OF ANY POWER OF ATTORNEY YOU WANT TO REMAIN IN EFFECT.**

**7 Signature of taxpayer.** If a tax matter concerns a year in which a joint return was filed, the husband and wife must each file a separate power of attorney even if the same representative(s) is (are) being appointed. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, or trustee on behalf of the taxpayer, I certify that I have the authority to execute this form on behalf of the taxpayer.

▶ **IF NOT SIGNED AND DATED, THIS POWER OF ATTORNEY WILL BE RETURNED TO THE TAXPAYER.**

Frank J McIntosh 12/18/12 PRESIDENT  
Signature Date Title (if applicable)

FRANK J MCINTOSH

☐ ☐ ☐ ☐ ☐ PENCADER EDUCATION ASSOCIATION  
Print Name PIN Number Print name of taxpayer from line 1 if other than individual

## Part II Declaration of Representative

Under penalties of perjury, I declare that:

- I am not currently under suspension or disbarment from practice before the Internal Revenue Service;
- I am aware of regulations contained in Circular 230 (31 CFR, Part 10), as amended, concerning practice before the Internal Revenue Service;
- I am authorized to represent the taxpayer identified in Part I for the matter(s) specified there; and
- I am one of the following:
  - a Attorney - a member in good standing of the bar of the highest court of the jurisdiction shown below.
  - b Certified Public Accountant - duly qualified to practice as a certified public accountant in the jurisdiction shown below.
  - c Enrolled Agent - enrolled as an agent under the requirements of Circular 230.
  - d Officer - a bona fide officer of the taxpayer's organization.
  - e Full-Time Employee - a full-time employee of the taxpayer.
  - f Family Member - a member of the taxpayer's immediate family (for example, spouse, parent, child, grandparent, grandchild, step-parent, step-child, brother, or sister).
  - g Enrolled Actuary - enrolled as an actuary by the Joint Board for the Enrollment of Actuaries under 29 U.S.C. 1242 (the authority to practice before the Internal Revenue Service is limited by section 10.3(d) of Circular 230).
  - h Unenrolled Return Preparer - Your authority to practice before the Internal Revenue Service is limited. You must have been eligible to sign the return under examination and have signed the return. See Notice 2011-6 and Special rules for registered tax return preparers and unenrolled return preparers in the instructions.
  - i Registered Tax Return Preparer—registered as a tax return preparer under the requirements of section 10.4 of Circular 230. Your authority to practice before the Internal Revenue Service is limited. You must have been eligible to sign the return under examination and have signed the return. See Notice 2011-6 and Special rules for registered tax return preparers and unenrolled return preparers in the instructions.
  - k Student Attorney or CPA - receives permission to practice before the IRS by virtue of his/her status as a law, business, or accounting student working in LITC or STCP under section 10.7(d) of Circular 230. See instructions for Part II for additional information and requirements.
  - r Enrolled Retirement Plan Agent - enrolled as a retirement plan agent under the requirements of Circular 230 (the authority to practice before the Internal Revenue Service is limited by section 10.3(e)).

▶ **IF THIS DECLARATION OF REPRESENTATIVE IS NOT SIGNED AND DATED, THE POWER OF ATTORNEY WILL BE RETURNED. REPRESENTATIVES MUST SIGN IN THE ORDER LISTED IN LINE 2 ABOVE.** See the instructions for Part II.

**Note:** For designations d-f, enter your title, position, or relationship to the taxpayer in the "Licensing jurisdiction" column. See the instructions for Part II for more information.

Designation - Insert above letter (a-r)	Licensing jurisdiction (state) or other licensing authority (if applicable)	Bar, license, certification, registration, or enrollment number (if applicable). See instructions for Part II for more information	Signature	Date
B	PA	CA-043224	<u>Robert A. Hagenow</u>	<u>12/19/12</u>
B	PA	CA-034776-R	<u>Robert A. Hagenow</u>	<u>12/19/12</u>

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

**FORM 1023 AND SCHEDULE B**

**Application for Recognition of Exemption  
Under Section 501(c)(3) of the Internal Revenue Code**

OMB No. 1545-0056

Note: If exempt status is  
approved, this  
application will be open  
for public inspection.

Use the instructions to complete this application and for a definition of all **bold** items. For additional help, call IRS Exempt Organizations Customer Account Services toll-free at 1-877-829-5500. Visit our website at [www.irs.gov](http://www.irs.gov) for forms and publications. If the required information and documents are not submitted with payment of the appropriate user fee, the application may be returned to you.

Attach additional sheets to this application if you need more space to answer fully. Put your name and EIN on each sheet and identify each answer by Part and line number. Complete Parts I - XI of Form 1023 and submit only those Schedules (A through H) that apply to you.

**Part I Identification of Applicant**

<b>1</b> Full name of organization (exactly as it appears in your <b>organizing document</b> )		<b>2</b> c/o Name (if applicable)	
PENCADER EDUCATION ASSOCIATION			
<b>3</b> Mailing address (Number and street) (see instructions)	Room/Suite	<b>4</b> Employer Identification Number (EIN)	
170 LUKENS DRIVE		20-0388633	
City or town, state or country, and ZIP + 4		<b>5</b> Month the annual accounting period ends (01-12)	
NEW CASTLE, DE 19720		JUNE	
<b>6</b> Primary contact (officer, director, trustee, or <b>authorized representative</b> )		<b>b</b> Phone: 302-472-0794	
<b>a</b> Name: JUDI KENNEDY		<b>c</b> Fax: (optional)	
<b>7</b> Are you represented by an authorized representative, such as an attorney or accountant? If "Yes," provide the authorized representative's name, and the name and address of the authorized representative's firm. Include a completed Form 2848, <i>Power of Attorney and Declaration of Representative</i> , with your application if you would like us to communicate with your representative.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>8</b> Was a person who is not one of your officers, directors, trustees, employees, or an authorized representative listed in line 7, paid, or promised payment, to help plan, manage, or advise you about the structure or activities of your organization, or about your financial or tax matters? If "Yes," provide the person's name, the name and address of the person's firm, the amounts paid or promised to be paid, and describe that person's role.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>9 a</b> Organization's website: <a href="http://pencadercharter.net">http://pencadercharter.net</a>			
<b>b</b> Organization's email: (optional)			
<b>10</b> Certain organizations are not required to file an information return (Form 990 or Form 990-EZ). If you are granted tax-exemption, are you claiming to be excused from filing Form 990 or Form 990-EZ? If "Yes," explain. See the instructions for a description of organizations not required to file Form 990 or Form 990-EZ.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>11</b> Date incorporated if a corporation, or formed, if other than a corporation. (MM/DD/YYYY)		09 / 03 / 2003	
<b>12</b> Were you formed under the laws of a foreign country? If "Yes," state the country.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Part II Organizational Structure**

You must be a corporation (including a limited liability company), an unincorporated association, or a trust to be tax exempt. (See instructions.) **DO NOT** file this form unless you can check "Yes" on lines 1, 2, 3, or 4.

- 1 Are you a corporation? If "Yes," attach a copy of your articles of incorporation showing certification of filing with the appropriate state agency. Include copies of any amendments to your articles and be sure they also show state filing certification. ☒ Yes ☐ No  
SEE ATTACHED
- 2 Are you a limited liability company (LLC)? If "Yes," attach a copy of your articles of organization showing certification of filing with the appropriate state agency. Also, if you adopted an operating agreement, attach a copy. Include copies of any amendments to your articles and be sure they show state filing certification. Refer to the instructions for circumstances when an LLC should not file its own exemption application. ☐ Yes ☒ No
- 3 Are you an unincorporated association? If "Yes," attach a copy of your articles of association, constitution, or other similar organizing document that is dated and includes at least two signatures. Include signed and dated copies of any amendments. ☐ Yes ☒ No
- 4 a Are you a trust? If "Yes," attach a signed and dated copy of your trust agreement. Include signed and dated copies of any amendments. ☐ Yes ☒ No  
b Have you been funded? If "No," explain how you are formed without anything of value placed in trust. ☐ Yes ☐ No
- 5 Have you adopted bylaws? If "Yes," attach a current copy showing date of adoption. If "No," explain how your officers, directors, or trustees are selected. ☒ Yes ☐ No  
SEE ATTACHED

**Part III Required Provisions in Your Organizing Document**

The following questions are designed to ensure that when you file this application, your organizing document contains the required provisions to meet the organizational test under section 501(c)(3). Unless you can check the boxes in both lines 1 and 2, your organizing document does not meet the organizational test. **DO NOT** file this application until you have amended your organizing document. Submit your original and amended organizing documents (showing state filing certification if you are a corporation or an LLC) with your application.

- 1 Section 501(c)(3) requires that your organizing document state your exempt purpose(s), such as charitable, religious, educational, and/or scientific purposes. Check the box to confirm that your organizing document meets this requirement. Describe specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document. Refer to the instructions for exempt purpose language. Location of Purpose Clause (Page, Article, and Paragraph): BYLAWS PG 1, ARTICLE II ☒
- 2a Section 501(c)(3) requires that upon dissolution of your organization, your remaining assets must be used exclusively for exempt purposes, such as charitable, religious, educational, and/or scientific purposes. Check the box on line 2a to confirm that your organizing document meets this requirement by express provision for the distribution of assets upon dissolution. If you rely on state law for your dissolution provision, do not check the box on line 2a and go to line 2c. ☒
- 2b If you checked the box on line 2a, specify the location of your dissolution clause (Page, Article, and Paragraph). Do not complete line 2c if you checked box 2a. BYLAWS PG 7/8, ARTICLE IX
- 2c See the instructions for information about the operation of state law in your particular state. Check this box if you rely on operation of state law for your dissolution provision and indicate the state: ☐

**Part IV Narrative Description of Your Activities**

Using an attachment, describe your *past, present, and planned* activities in a narrative. If you believe that you have already provided some of this information in response to other parts of this application, you may summarize that information here and refer to the specific parts of the application for supporting details. You may also attach representative copies of newsletters, brochures, or similar documents for supporting details to this narrative. Remember that if this application is approved, it will be open for public inspection. Therefore, your narrative description of activities should be thorough and accurate. Refer to the instructions for information that must be included in your description.

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors**

- 1a List the names, titles, and mailing addresses of all of your officers, directors, and trustees. For each person listed, state their total annual compensation, or proposed compensation, for all services to the organization, whether as an officer, employee, or other position. Use actual figures, if available. Enter "none" if no compensation is or will be paid. If additional space is needed, attach a separate sheet. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
SEE ATTACHED LISTING			

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

b List the names, titles, and mailing addresses of each of your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation. Do not include officers, directors, or trustees listed in line 1a.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)

c List the names, names of businesses, and mailing addresses of your five highest compensated independent contractors that receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
RAN Cleaning Services	Cleaning Services	14 Hawthorne Avenue Newark, DE 19711	83,322.00
Advanced Student Transportation	Student Transportation	1400 First State Blvd. Wilmington, DE 19805	447,969.00
Helterbay Associates	Educational Diagnostician/Testing	68 Cann Road Newark, DE 19702	74,538.00
Revolution Foods, Inc.	Lunch Program Services	PO Box 60000 San Francisco, CA 94160	50,000.00
Innovative Schools Development Corp	Back office Support	100 West 10th Street, Suite 403 Wilmington, DE 19801	63,990.00

The following "Yes" or "No" questions relate to *past, present, or planned* relationships, transactions, or agreements with your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, and 1c.

2 a Are any of your officers, directors, or trustees related to each other through family or business relationships? If "Yes," identify the individuals and explain the relationship. ☐ Yes ☒ No

b Do you have a business relationship with any of your officers, directors, or trustees other than through their position as an officer, director, or trustee? If "Yes," identify the individuals and describe the business relationship with each of your officers, directors, or trustees. ☐ Yes ☒ No

c Are any of your officers, directors, or trustees related to your highest compensated employees or highest compensated independent contractors listed on lines 1b or 1c through family or business relationships? If "Yes," identify the individuals and explain the relationship. ☐ Yes ☒ No

3 a For each of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c, attach a list showing their name, qualifications, average hours worked, and duties. SEE ATTACHED

b Do any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c receive compensation from any other organizations, whether tax exempt or taxable, that are related to you through common control? If "Yes," identify the individuals, explain the relationship between you and the other organization, and describe the compensation arrangement. ☐ Yes ☒ No SEE ATTACHED

4 In establishing the compensation for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, and 1c, the following practices are recommended, although they are not required to obtain exemption. Answer "Yes" to all the practices you use.

a Do you or will the individuals that approve compensation arrangements follow a conflict of interest policy? ☐ Yes ☒ No

b Do you or will you approve compensation arrangements in advance of paying compensation? ☒ Yes ☐ No

c Do you or will you document in writing the date and terms of approved compensation arrangements? ☒ Yes ☐ No

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

- d** Do you or will you record in writing the decision made by each individual who decided or voted on compensation arrangements? ☒ Yes ☐ No
- e** Do you or will you approve compensation arrangements based on information about compensation paid by **similarly situated** taxable or tax-exempt organizations for similar services, current compensation surveys compiled by independent firms, or actual written offers from similarly situated organizations? Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. ☒ Yes ☐ No
- f** Do you or will you record in writing both the information on which you relied to base your decision and its source? ☒ Yes ☐ No
- g** If you answered "No" to any item on lines 4a through 4f, describe how you set compensation that is **reasonable** for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c. **SEE ATTACHED**

- 5a** Have you adopted a **conflict of interest policy** consistent with the sample conflict of interest policy in Appendix A to the instructions? If "Yes," provide a copy of the policy and explain how the policy has been adopted, such as by resolution of your governing board. If "No," answer lines 5b and 5c. ☐ Yes ☒ No
- b** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you for setting their own compensation? **SEE ATTACHED**
- c** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you regarding business deals with themselves? **SEE ATTACHED**

**Note:** A conflict of interest policy is recommended though it is not required to obtain exemption. Hospitals, see Schedule C, Section I, line 14.

- 6a** Do you or will you compensate any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, or 1c through **non-fixed** payments, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are determined, who is eligible for such arrangements, whether you place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. ☐ Yes ☒ No
- b** Do you or will you compensate any of your employees, other than your officers, directors, trustees, or your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year, through non-fixed payments, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are or will be determined, who is or will be eligible for such arrangements, whether you place or will place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. ☐ Yes ☒ No

- 7a** Do you or will you purchase any goods, services, or assets from any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such purchase that you made or intend to make, from whom you make or will make such purchases, how the terms are or will be negotiated at arm's length, and explain how you determine or will determine that you pay no more than **fair market value**. Attach copies of any written contracts or other agreements relating to such purchases. ☐ Yes ☒ No
- b** Do you or will you sell any goods, services, or assets to any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such sales that you made or intend to make, to whom you make or will make such sales, how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you are or will be paid at least fair market value. Attach copies of any written contracts or other agreements relating to such sales. ☐ Yes ☒ No

- 8a** Do you or will you have any leases, contracts, loans, or other agreements with your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," provide the information requested in lines 8b through 8f. ☐ Yes ☒ No
- b** Describe any written or oral arrangements that you made or intend to make.
- c** Identify with whom you have or will have such arrangements.
- d** Explain how the terms are or will be negotiated at arm's length.
- e** Explain how you determine you pay no more than fair market value or you are paid at least fair market value.
- f** Attach copies of any signed leases, contracts, loans, or other agreements relating to such arrangements.

- 9a** Do you or will you have any leases, contracts, loans, or other agreements with any organization in which any of your officers, directors, or trustees are also officers, directors, or trustees, or in which any individual officer, director, or trustee owns more than a 35% interest? If "Yes," provide the information requested in lines 9b through 9f. ☐ Yes ☒ No

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

- b Describe any written or oral arrangements you made or intend to make.
- c Identify with whom you have or will have such arrangements.
- d Explain how the terms are or will be negotiated at arm's length.
- e Explain how you determine or will determine you pay no more than fair market value or that you are paid at least fair market value.
- f Attach a copy of any signed leases, contracts, loans, or other agreements relating to such arrangements.

**Part VI Your Members and Other Individuals and Organizations That Receive Benefits From You**

The following "Yes" or "No" questions relate to goods, services, and funds you provide to individuals and organizations as part of your activities. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1a In carrying out your exempt purposes, do you provide goods, services, or funds to individuals? If "Yes," describe each program that provides goods, services, or funds to individuals. ☒ Yes ☐ No  
SEE ATTACHED
- b In carrying out your exempt purposes, do you provide goods, services, or funds to organizations? If "Yes," describe each program that provides goods, services, or funds to organizations. ☐ Yes ☒ No
- 2 Do any of your programs limit the provision of goods, services, or funds to a specific individual or group of specific individuals? For example, answer "Yes," if goods, services, or funds are provided only for a particular individual, your members, individuals who work for a particular employer, or graduates of a particular school. If "Yes," explain the limitation and how recipients are selected for each program. ☐ Yes ☒ No
- 3 Do any individuals who receive goods, services, or funds through your programs have a family or business relationship with any officer, director, trustee, or with any of your highest compensated employees or highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c? If "Yes," explain how these related individuals are eligible for goods, services, or funds. ☐ Yes ☒ No

**Part VII Your History**

The following "Yes" or "No" questions relate to your history. (See instructions.)

- 1 Are you a successor to another organization? Answer "Yes," if you have taken or will take over the activities of another organization; you took over 25% or more of the fair market value of the net assets of another organization; or you were established upon the conversion of an organization from for-profit to non-profit status. If "Yes," complete Schedule G. ☐ Yes ☒ No
- 2 Are you submitting this application more than 27 months after the end of the month in which you were legally formed? If "Yes," complete Schedule E. ☒ Yes ☐ No  
SCHEDULE E NOT APPLICABLE

**Part VIII Your Specific Activities**

The following "Yes" or "No" questions relate to specific activities that you may conduct. Check the appropriate box. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1 Do you support or oppose candidates in political campaigns in any way? If "Yes," explain. ☐ Yes ☒ No
- 2a Do you attempt to influence legislation? If "Yes," explain how you attempt to influence legislation and complete line 2b. If "No," go to line 3a. ☐ Yes ☒ No
- b Have you made or are you making an election to have your legislative activities measured by expenditures by filing Form 5768? If "Yes," attach a copy of the Form 5768 that was already filed or attach a completed Form 5768 that you are filing with this application. If "No," describe whether your attempts to influence legislation are a substantial part of your activities. Include the time and money spent on your attempts to influence legislation as compared to your total activities. ☐ Yes ☐ No
- 3a Do you or will you operate bingo or gaming activities? If "Yes," describe who conducts them, and list all revenue received or expected to be received and expenses paid or expected to be paid in operating these activities. Revenue and expenses should be provided for the time periods specified in Part IX, Financial Data. ☐ Yes ☒ No
- b Do you or will you enter into contracts or other agreements with individuals or organizations to conduct bingo or gaming for you? If "Yes," describe any written or oral arrangements that you made or intend to make, identify with whom you have or will have such arrangements, explain how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you pay no more than fair market value or you will be paid at least fair market value. Attach copies of any written contracts or other agreements relating to such arrangements. ☐ Yes ☒ No
- c List the states and local jurisdictions, including Indian Reservations, in which you conduct or will conduct gaming or bingo.  
NONE

**Part VIII Your Specific Activities (Continued)**

**4a** Do you or will you undertake **fundraising**? If "Yes," check all the fundraising programs you do or will conduct. (See instructions.)

☒ Yes ☐ No

- |   |  |
|---|--|
| <input type="checkbox"/> mail solicitations                         | <input type="checkbox"/> phone solicitations                                   |
| <input checked="" type="checkbox"/> email solicitations             | <input type="checkbox"/> accept donations on your website                      |
| <input checked="" type="checkbox"/> personal solicitations          | <input type="checkbox"/> receive donations from another organization's website |
| <input type="checkbox"/> vehicle, boat, plane, or similar donations | <input checked="" type="checkbox"/> government grant solicitations             |
| <input checked="" type="checkbox"/> foundation grant solicitations  | <input type="checkbox"/> Other   |

Attach a description of each fundraising program. SEE ATTACHED

**b** Do you or will you have written or oral contracts with any individuals or organizations to raise funds for you? If "Yes," describe these activities. Include all revenue and expenses from these activities and state who conducts them. Revenue and expenses should be provided for the time periods specified in Part IX, Financial Data. Also, attach a copy of any contracts or agreements.

☐ Yes ☒ No

**c** Do you or will you engage in fundraising activities for other organizations? If "Yes," describe these arrangements. Include a description of the organizations for which you raise funds and attach copies of all contracts or agreements.

☐ Yes ☒ No

**d** List all states and local jurisdictions in which you conduct fundraising. For each state or local jurisdiction listed, specify whether you fundraise for your own organization, you fundraise for another organization, or another organization fundraises for you.

DELAWARE - SEE ATTACHED

**e** Do you or will you maintain separate accounts for any contributor under which the contributor has the right to advise on the use or distribution of funds? Answer "Yes," if the donor may provide advice on the types of investments, distributions from the types of investments, or the distribution from the donor's contribution account. If "Yes," describe this program, including the type of advice that may be provided and submit copies of any written materials provided to donors.

☐ Yes ☒ No

**5** Are you **affiliated** with a governmental unit? If "Yes," explain.

☒ Yes ☐ No

**6a** Do you or will you engage in **economic development**? If "Yes," describe your program.

☐ Yes ☒ No

**b** Describe in full who benefits from your economic development activities and how the activities promote exempt purposes.

**7a** Do or will persons other than your employees or volunteers **develop** your facilities? If "Yes," describe each facility, the role of the developer, and any business or family relationship(s) between the developer and your officers, directors, or trustees.

☐ Yes ☒ No

**b** Do or will persons other than your employees or volunteers **manage** your activities or facilities? If "Yes," describe each activity and facility, the role of the manager, and any business or family relationship(s) between the manager and your officers, directors, or trustees.

☐ Yes ☒ No

**c** If there is a business or family relationship between any manager or developer and your officers, directors, or trustees, identify the individuals, explain the relationship, describe how contracts are negotiated at arm's length so that you pay no more than fair market value, and submit a copy of any contracts or other agreements.

**8** Do you or will you enter into **joint ventures**, including partnerships or **limited liability companies** treated as partnerships, in which you share profits and losses with partners other than section 501(c)(3) organizations? If "Yes," describe the activities of these joint ventures in which you participate.

☐ Yes ☒ No

**9a** Are you applying for exemption as a childcare organization under section 501(k)? If "Yes," answer lines 9b through 9d. If "No," go to line 10.

☐ Yes ☒ No

**b** Do you provide child care so that parents or caretakers of children you care for can be **gainfully employed** (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k).

☐ Yes ☒ No

**c** Of the children for whom you provide child care, are 85% or more of them cared for by you to enable their parents or caretakers to be **gainfully employed** (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k).

☐ Yes ☒ No

**d** Are your services available to the general public? If "No," describe the specific group of people for whom your activities are available. Also, see the instructions and explain how you qualify as a childcare organization described in section 501(k).

☐ Yes ☒ No

**10** Do you or will you publish, own, or have rights in music, literature, tapes, artworks, choreography, scientific discoveries, or other **intellectual property**? If "Yes," explain. Describe who owns or will own any copyrights, patents, or trademarks, whether fees are or will be charged, how the fees are determined, and how any items are or will be produced, distributed, and marketed.

☐ Yes ☒ No

**Part VIII Your Specific Activities (Continued)**

- 11** Do you or will you accept contributions of: real property; conservation easements; closely held securities; intellectual property such as patents, trademarks, and copyrights; works of music or art; licenses; royalties; automobiles, boats, planes, or other vehicles; or collectibles of any type? If "Yes," describe each type of contribution, any conditions imposed by the donor on the contribution, and any agreements with the donor regarding the contribution. ☐ Yes ☒ No
- 12a** Do you or will you operate in a foreign country or countries? If "Yes," answer lines 12b through 12d. If "No," go to line 13a. ☐ Yes ☒ No
- b** Name the foreign countries and regions within the countries in which you operate.
- c** Describe your operations in each country and region in which you operate.
- d** Describe how your operations in each country and region further your exempt purposes.
- 13a** Do you or will you make grants, loans, or other distributions to organization(s)? If "Yes," answer lines 13b through 13g. If "No," go to line 14a. ☐ Yes ☒ No
- b** Describe how your grants, loans, or other distributions to organizations further your exempt purposes.
- c** Do you have written contracts with each of these organizations? If "Yes," attach a copy of each contract. ☐ Yes ☐ No
- d** Identify each recipient organization and any relationship between you and the recipient organization.
- e** Describe the records you keep with respect to the grants, loans, or other distributions you make.
- f** Describe your selection process, including whether you do any of the following:
- (i)** Do you require an application form? If "Yes," attach a copy of the form. ☐ Yes ☐ No
- (ii)** Do you require a grant proposal? If "Yes," describe whether the grant proposal specifies your responsibilities and those of the grantee, obligates the grantee to use the grant funds only for the purposes for which the grant was made, provides for periodic written reports concerning the use of grant funds, requires a final written report and an accounting of how grant funds were used, and acknowledges your authority to withhold and/or recover grant funds in case such funds are, or appear to be, misused. ☐ Yes ☐ No
- g** Describe your procedures for oversight of distributions that assure you the resources are used to further your exempt purposes, including whether you require periodic and final reports on the use of resources.
- 14a** Do you or will you make grants, loans, or other distributions to foreign organizations? If "Yes," answer lines 14b through 14f. If "No," go to line 15. ☐ Yes ☒ No
- b** Provide the name of each foreign organization, the country and regions within a country in which each foreign organization operates, and describe any relationship you have with each foreign organization.
- c** Does any foreign organization listed in line 14b accept contributions earmarked for a specific country or specific organization? If "Yes," list all earmarked organizations or countries. ☐ Yes ☐ No
- d** Do your contributors know that you have ultimate authority to use contributions made to you at your discretion for purposes consistent with your exempt purposes? If "Yes," describe how you relay this information to contributors. ☐ Yes ☐ No
- e** Do you or will you make pre-grant inquiries about the recipient organization? If "Yes," describe these inquiries, including whether you inquire about the recipient's financial status, its tax-exempt status under the Internal Revenue Code, its ability to accomplish the purpose for which the resources are provided, and other relevant information. ☐ Yes ☐ No
- f** Do you or will you use any additional procedures to ensure that your distributions to foreign organizations are used in furtherance of your exempt purposes? If "Yes," describe these procedures, including site visits by your employees or compliance checks by impartial experts, to verify that grant funds are being used appropriately. ☐ Yes ☐ No

**Part VIII Your Specific Activities (Continued)**

- 15 Do you have a **close connection** with any organizations? If "Yes," explain. ☐ Yes ☒ No
- 16 Are you applying for exemption as a **cooperative hospital service organization** under section 501(e)? If "Yes," explain. ☐ Yes ☒ No
- 17 Are you applying for exemption as a **cooperative service organization of operating educational organizations** under section 501(f)? If "Yes," explain. ☐ Yes ☒ No
- 18 Are you applying for exemption as a **charitable risk pool** under section 501(n)? If "Yes," explain. ☐ Yes ☒ No
- 19 Do you or will you operate a **school**? If "Yes," complete Schedule B. Answer "Yes," whether you operate a school as your main function or as a secondary activity. ☒ Yes ☐ No SEE ATTACHED SCHEDULE
- 20 Is your main function to provide **hospital or medical care**? If "Yes," complete Schedule C. ☐ Yes ☒ No
- 21 Do you or will you provide **low-income housing** or housing for the **elderly** or **handicapped**? If "Yes," complete Schedule F. ☐ Yes ☒ No
- 22 Do you or will you provide **scholarships, fellowships, education loans, or other educational grants** to individuals, including grants for travel, study, or other similar purposes? If "Yes," complete Schedule H. ☐ Yes ☒ No

**Note:** Private foundations may use Schedule H to request advance approval of individual grant procedures.

**Part IX Financial Data**

For purposes of this schedule, years in existence refer to completed tax years. If in existence 4 or more years, complete the schedule for the most recent 4 tax years. If in existence more than 1 year but less than 4 years, complete the statements for each year in existence and provide projections of your likely revenues and expenses based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. If in existence less than 1 year, provide projections of your likely revenues and expenses for the current year and the 2 following years, based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. (See instructions.)

**A. Statement of Revenues and Expenses**

	Type of revenue or expense	Current tax year	3 prior tax years or 2 succeeding tax years				(e) Provide Total for (a) through (d)
		(a) From <u>7/1/11</u> To <u>6/30/12</u>	(b) From <u>7/1/10</u> To <u>6/30/11</u>	(c) From <u>7/1/09</u> To <u>6/30/10</u>	(d) From <u>7/1/08</u> To <u>6/30/09</u>		
Revenues	1 Gifts, grants, and contributions received (do not include unusual grants)	SEE ATTACHED	DETAIL				
	2 Membership fees received						
	3 Gross investment income						
	4 Net unrelated business income						
	5 Taxes levied for your benefit						
	6 Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)						
	7 Any revenue not otherwise listed above or in lines 9-12 below (attach an itemized list)						
	8 Total of lines 1 through 7						
	9 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)						
	10 Total of lines 8 and 9						
Expenses	11 Net gain or loss on sale of capital assets (attach schedule and see instructions)						
	12 Unusual grants						
	13 Total Revenue Add lines 10 through 12						
	14 Fundraising expenses						
	15 Contributions, gifts, grants, and similar amounts paid out (attach an itemized list)						
	16 Disbursements to or for the benefit of members (attach an itemized list)						
	17 Compensation of officers, directors, and trustees						
	18 Other salaries and wages						
	19 Interest expense						
	20 Occupancy (rent, utilities, etc.)						
	21 Depreciation and depletion						
	22 Professional fees						
	23 Any expense not otherwise classified, such as program services (attach itemized list)						
	24 Total Expenses Add lines 14 through 23						

**Part IX Financial Data (Continued)****B. Balance Sheet (for your most recently completed tax year)**

Year End: 6/30/2012

**Assets**

		(Whole dollars)
1	Cash . . . . .	1 172,928
2	Accounts receivable, net . . . . .	2
3	Inventories . . . . .	3
4	Bonds and notes receivable (attach an itemized list) . . . . .	4
5	Corporate stocks (attach an itemized list) . . . . .	5
6	Loans receivable (attach an itemized list) . . . . .	6
7	Other investments (attach an itemized list) . . . . .	7
8	Depreciable and depletable assets (attach an itemized list) . . . . .	8 12,153
9	Land . . . . .	9
10	Other assets (attach an itemized list) . . . . .	10
11	Total Assets (add lines 1 through 10) . . . . .	11 185,081

**Liabilities**

12	Accounts payable . . . . .	12 77,912
13	Contributions, gifts, grants, etc. payable . . . . .	13
14	Mortgages and notes payable (attach an itemized list) . . . . .	14 160,000
15	Other liabilities (attach an itemized list) . . . . .	15 409,470
16	Total Liabilities (add lines 12 through 15) . . . . .	16 647,382

**Fund Balances or Net Assets**

17	Total fund balances or net assets . . . . .	17 -462,301
18	Total Liabilities and Fund Balances or Net Assets (add lines 16 and 17) . . . . .	18 185,081

19 Have there been any substantial changes in your assets or liabilities since the end of the period shown above? If "Yes," explain: ☐ Yes ☒ No

**Part X Public Charity Status**

Part X is designed to classify you as an organization that is either a **private foundation** or a **public charity**. Public charity status is a more favorable tax status than private foundation status. If you are a private foundation, Part X is designed to further determine whether you are a **private operating foundation**. (See instructions.)

1 a Are you a private foundation? If "Yes," go to line 1b. If "No," go to line 5 and proceed as instructed. ☐ Yes ☒ No  
If you are unsure, see the instructions.

b As a private foundation, section 508(e) requires special provisions in your organizing document in addition to those that apply to all organizations described in section 501(c)(3). Check the box to confirm that your organizing document meets this requirement, whether by express provision or by reliance on operation of state law. Attach a statement that describes specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document or by operation of state law. See the instructions, including Appendix B, for information about the special provisions that need to be contained in your organizing document. Go to line 2.

2 Are you a private operating foundation? To be a private operating foundation you must engage directly in the active conduct of charitable, religious, educational, and similar activities, as opposed to indirectly carrying out these activities by providing grants to individuals or other organizations. If "Yes," go to line 3. If "No," go to the signature section of Part XI. ☐ Yes ☐ No

3 Have you existed for one or more years? If "Yes," attach financial information showing that you are a private operating foundation; go to the signature section of Part XI. If "No," continue to line 4. ☐ Yes ☐ No

4 Have you attached either (1) an affidavit or opinion of counsel, (including a written affidavit or opinion from a certified public accountant or accounting firm with expertise regarding this tax law matter), that sets forth facts concerning your operations and support to demonstrate that you are likely to satisfy the requirements to be classified as a private operating foundation; or (2) a statement describing your proposed operations as a private operating foundation? ☐ Yes ☐ No

5 If you answered "No" to line 1a, indicate the type of public charity status you are requesting by checking one of the choices below. You may check only one box.

The organization is not a private foundation because it is:

- a 509(a)(1) and 170(b)(1)(A)(i) - a church or a convention or association of churches. Complete and attach Schedule A. ☐
- b 509(a)(1) and 170(b)(1)(A)(ii) - a school. Complete and attach Schedule B. ☒
- c 509(a)(1) and 170(b)(1)(A)(iii) - a hospital, a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital. Complete and attach Schedule C. ☐
- d 509(a)(3) - an organization supporting either one or more organizations described in line 5a through c, f, g, or h or a publicly supported section 501(c)(4), (5), or (6) organization. Complete and attach Schedule D. ☐

**Part X Public Charity Status (Continued)**

- e 509(a)(4) - an organization organized and operated exclusively for testing for public safety. ☐
- f 509(a)(1) and 170(b)(1)(A)(iv) - an organization operated for the benefit of a college or university that is owned or operated by a governmental unit. ☐
- g 509(a)(1) and 170(b)(1)(A)(vi) - an organization that receives a substantial part of its financial support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public. ☐
- h 509(a)(2) - an organization that normally receives not more than one-third of its financial support from gross investment income and receives more than one-third of its financial support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions). ☐
- i A publicly supported organization, but unsure if it is described in 5g or 5h. The organization would like the IRS to decide the correct status. ☐
- 6 If you checked box g, h, or i in question 5 above, you must request either an **advance** or a **definitive** ruling by selecting one of the boxes below. Refer to the instructions to determine which type of ruling you are eligible to receive. ☐
- a **Request for Advance Ruling:** By checking this box and signing the consent, pursuant to section 6501(c)(4) of the Code you request an advance ruling and agree to extend the statute of limitations on the assessment of excise tax under section 4940 of the Code. The tax will apply only if you do not establish public support status at the end of the 5-year advance ruling period. The assessment period will be extended for the 5 advance ruling years to 8 years, 4 months, and 15 days beyond the end of the first year. You have the right to refuse or limit the extension to a mutually agreed-upon period of time or issue(s). Publication 1035, *Extending the Tax Assessment Period*, provides a more detailed explanation of your rights and the consequences of the choices you make. You may obtain Publication 1035 free of charge from the IRS web site at [www.irs.gov](http://www.irs.gov) or by calling toll-free 1-800-829-3676. Signing this consent will not deprive you of any appeal rights to which you would otherwise be entitled. If you decide not to extend the statute of limitations, you are not eligible for an advance ruling.

**Consent Fixing Period of Limitations Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code**

For Organization:

(Signature of Officer, Director, Trustee, or other  
authorized official)

(Type or print name of signer)

(Date)

(Type or print title or authority of signer)

For IRS Use Only

IRS Director, Exempt Organizations

(Date)

- b **Request for Definitive Ruling:** Check this box if you have completed one tax year of at least 8 full months and you are requesting a definitive ruling. To confirm your public support status, answer line 6b(i) if you checked box g in line 5 above. Answer line 6b(ii) if you checked box h in line 5 above. If you checked box i in line 5 above, answer both lines 6b(i) and (ii). ☐
- (i) (a) Enter 2% of line 8, column (e) on Part IX-A, Statement of Revenues and Expenses. ☐
- (b) Attach a list showing the name and amount contributed by each person, company, or organization whose gifts totaled more than the 2% amount. If the answer is "None," check this box. ☐
- (ii) (a) For each year amounts are included on lines 1, 2, and 9 of Part IX-A, Statement of Revenues and Expenses, attach a list showing the name of and amount received from each **disqualified person**. If the answer is "None," check this box. ☐
- (b) For each year amounts are included on line 9 of Part IX-A, Statement of Revenues and Expenses, attach a list showing the name of and amount received from each payer, other than a disqualified person, whose payments were more than the larger of (1) 1% of line 10, Part IX-A, Statement of Revenues and Expenses, or (2) \$5,000. If the answer is "None," check this box. ☐

- 7 Did you receive any unusual grants during any of the years shown on Part IX-A, Statement of Revenues and Expenses? If "Yes," attach a list including the name of the contributor, the date and amount of the grant, a brief description of the grant, and explain why it is unusual. ☐ Yes ☐ No

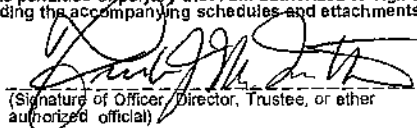
**Part XI User Fee Information**

You must include a user fee payment with this application. It will not be processed without your paid user fee. If your average annual gross receipts have exceeded or will exceed \$10,000 annually over a 4-year period, you must submit payment of \$750. If your gross receipts have not exceeded or will not exceed \$10,000 annually over a 4-year period, the required user fee payment is \$300. See instructions for Part XI, for a definition of gross receipts over a 4-year period. Your check or money order must be made payable to the United States Treasury. User fees are subject to change. Check our website at [www.irs.gov](http://www.irs.gov) and type "User Fee" in the keyword box, or call Customer Account Services at 1-877-829-5500 for current information.

- 1 Have your annual gross receipts averaged or are they expected to average not more than \$10,000? ☐ Yes ☒ No  
If "Yes," check the box on line 2 and enclose a user fee payment of \$300 (Subject to change - see above).  
If "No," check the box on line 3 and enclose a user fee payment of \$750 (Subject to change - see above).
- 2 Check the box if you have enclosed the reduced user fee payment of \$300 (Subject to change). ☐
- 3 Check the box if you have enclosed the user fee payment of \$750 (Subject to change). ☒

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization, and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please  
Sign  
Here

  
(Signature of Officer, Director, Trustee, or other authorized official)

FRANK J. MCINTOSH  
(Type or print name of signer)

12/18/12  
(Date)

PRESIDENT OF THE BOARD  
(Type or print title or authority of signer)

**Reminder:** Send the completed Form 1023 Checklist with your filled-in-application.

Form 1023 (Rev. 6-2006)

**Schedule B. Schools, Colleges, and Universities**

If you operate a school as an activity, complete Schedule B.

**Section I Operational Information**

**1a** Do you normally have a regularly scheduled curriculum, a regular faculty of qualified teachers, a regularly enrolled student body, and facilities where your educational activities are regularly carried on? If "No," do not complete the remainder of Schedule B. ☒ Yes ☐ No

**b** Is the primary function of your school the presentation of formal instruction? If "Yes," describe your school in terms of whether it is an elementary, secondary, college, technical, or other type of school. If "No," do not complete the remainder of Schedule B. ☒ Yes ☐ No  
SEE ATTACHED

**2a** Are you a public school because you are operated by a state or subdivision of a state? If "Yes," explain how you are operated by a state or subdivision of a state. Do not complete the remainder of Schedule B. ☒ Yes ☐ No

**b** Are you a public school because you are operated wholly or predominantly from government funds or property? If "Yes," explain how you are operated wholly or predominantly from government funds or property. Submit a copy of your funding agreement regarding government funding. Do not complete the remainder of Schedule B. ☐ Yes ☐ No

**3** In what public school district, county, and state are you located?

**4** Were you formed or substantially expanded at the time of public school desegregation in the above school district or county? ☐ Yes ☐ No

**5** Has a state or federal administrative agency or judicial body ever determined that you are racially discriminatory? If "Yes," explain. ☐ Yes ☐ No

**6** Has your right to receive financial aid or assistance from a governmental agency ever been revoked or suspended? If "Yes," explain. ☐ Yes ☐ No

**7** Do you or will you contract with another organization to develop, build, market, or finance your facilities? If "Yes," explain how that entity is selected, explain how the terms of any contracts or other agreements are negotiated at arm's length, and explain how you determine that you will pay no more than fair market value for services. ☐ Yes ☐ No

Note. Make sure your answer is consistent with the information provided in Part VIII, line 7a.

**8** Do you or will you manage your activities or facilities through your own employees or volunteers? If "No," attach a statement describing the activities that will be managed by others, the names of the persons or organizations that manage or will manage your activities or facilities, and how these managers were or will be selected. Also, submit copies of any contracts, proposed contracts, or other agreements regarding the provision of management services for your activities or facilities. Explain how the terms of any contracts or other agreements were or will be negotiated, and explain how you determine you will pay no more than fair market value for services. ☐ Yes ☐ No

Note. Answer "Yes" if you manage or intend to manage your programs through your own employees or by using volunteers. Answer "No" if you engage or intend to engage a separate organization or independent contractor. Make sure your answer is consistent with the information provided in Part VIII, line 7b.

**Section II Establishment of Racially Nondiscriminatory Policy**

Information required by Revenue Procedure 75-50.

**1** Have you adopted a racially nondiscriminatory policy as to students in your organizing document, bylaws, or by resolution of your governing body? If "Yes," state where the policy can be found or supply a copy of the policy. If "No," you must adopt a nondiscriminatory policy as to students before submitting this application. See Publication 557. ☐ Yes ☐ No

**2** Do your brochures, application forms, advertisements, and catalogues dealing with student admissions, programs, and scholarships contain a statement of your racially nondiscriminatory policy? ☐ Yes ☐ No

**a** If "Yes," attach a representative sample of each document.

**b** If "No," by checking the box to the right you agree that all future printed materials, including website content, will contain the required nondiscriminatory policy statement. ☐

**3** Have you published a notice of your nondiscriminatory policy in a newspaper of general circulation that serves all racial segments of the community? (See the instructions for specific requirements.) If "No," explain. ☐ Yes ☐ No

**4** Does or will the organization (or any department or division within it) discriminate in any way on the basis of race with respect to admissions; use of facilities or exercise of student privileges; faculty or administrative staff; or scholarship or loan programs? If "Yes," for any of the above, explain fully. ☐ Yes ☐ No

**Schedule B. Schools, Colleges, and Universities (Continued)**

- 5 Complete the table below to show the racial composition for the current academic year and projected for the next academic year, of: (a) the student body, (b) the faculty, and (c) the administrative staff. Provide actual numbers rather than percentages for each racial category.

If you are not operational, submit an estimate based on the best information available (such as the racial composition of the community served).

Racial Category	(a) Student Body		(b) Faculty		(c) Administrative Staff	
	Current Year	Next Year	Current Year	Next Year	Current Year	Next Year
<b>Total</b>	0	0	0	0	0	0

- 6 In the table below, provide the number and amount of loans and scholarships awarded to students enrolled by racial categories.

Racial Category	Number of Loans		Amount of Loans		Number of Scholarships		Amount of Scholarships	
	Current Year	Next Year	Current Year	Next Year	Current Year	Next Year	Current Year	Next Year
<b>Total</b>	0	0			0	0		

- 7 a Attach a list of your incorporators, founders, board members, and donors of land or buildings, whether individuals or organizations.

- b Do any of these individuals or organizations have an objective to maintain segregated public or private school education? If "Yes," explain.

☐ Yes ☐ No

- 8 Will you maintain records according to the non-discrimination provisions contained in Revenue Procedure 75-50? If "No," explain. (See instructions.)

☐ Yes ☐ No

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

**ARTICLES OF ORGANIZATION**

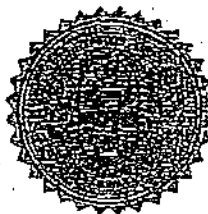
# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "PENCADER EDUCATION ASSOCIATION", FILED IN THIS OFFICE ON THE FOURTH DAY OF SEPTEMBER, A.D. 2003, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3699458 8100

030570653

AUTHENTICATION: 2615906

DATE: 09-04-03

A

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 08:00 AM 09/04/2003  
FILED 08:00 AM 09/04/2003  
SRV 030570653 - 3699458 FILE

STATE of DELAWARE  
CERTIFICATE of INCORPORATION  
A NON-STOCK CORPORATION

- FIRST: Name: The name of the corporation is PENCADER EDUCATION ASSOCIATION (the "Corporation").
- SECOND: Registered Office and Registered Agent: The Registered Office of the Corporation in the State of Delaware is to be located at 2035 Sunset Lake Road, Building A, Suite 2, in the City of Newark, in the State of Delaware. The registered agent in charge thereof is BC Consulting, Inc.
- THIRD: Purposes and Powers: The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware. The Corporation does not contemplate pecuniary gain or profit, incidental or otherwise. This Corporation shall be a nonprofit corporation. The nature of the activities to be conducted, and the purposes to be promoted or carried out by the Corporation, shall be exclusively religious, charitable, scientific, literary, and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future United States Internal Revenue law. Without limiting the generality of the foregoing, the purposes of the Corporation shall include:
- (a) To organize and run a Charter School pursuant to the Charter School Act of 1995 (14 Del. C. §§ 501 et seq.)
  - (b) To solicit, receive, acquire, lease, hold, sell, mortgage, administer, dispose of, invest in, distribute, and in any other way be involved with or handle real or personal property and funds for the above purposes, but for no other purposes.
  - (c) To do such acts and carry on such business as may be permitted by nonprofit corporations under the General Corporation Law of Delaware and other laws of the State of Delaware and the United States, except as otherwise prohibited or forbidden by the By-Laws of the Corporation, in order to accomplish the above purposes, provided that such general powers shall not be construed to expressly empower the Corporation to engage, except as an insubstantial part of its activities, in activities which in themselves are not in furtherance of one or more exempt purposes.

(d) To have officers and promote and carry on its objects and purposes within or without the State of Delaware, other states, the District of Columbia, and the territories or colonies of the United States.

(e) To engage in any and all such acts as are necessary, convenient, or conducive to the attainment of any of the objects and purposes herein set forth, to the same extent and as fully as any natural person might or could do, subject to the powers and restrictions of this Certificate of Incorporation and the By-Laws of the Corporation.

FOURTH: Stock: The Corporation is a non-stock corporation which is not authorized to issue capital stock, and the conditions of membership shall be stated in the By-Laws.

FIFTH: Board of Directors: The business and affairs of the Corporation, and the control and disposition of its property and funds, shall be managed by or under the direction of the governing body of the Corporation which shall be known as the "Board of Directors." The Board of Directors, and its officers and committees, shall be constituted, and the personnel shall be chosen, as provided for in the By-Laws of the Corporation.

SIXTH: Restrictions: No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its members, trustees, officers, directors, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. Except as may be permitted under the provisions of Section 501(h) of the Internal Revenue Code of 1986, or the corresponding provisions of any future United States Internal Revenue law, no substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office nor shall it take a position on any issue raised in a political campaign for the purpose of aiding or opposing any candidate. Notwithstanding any other provision of these articles or any provisions of applicable state law, the Corporation shall not carry on any activities not permitted to be carried on (a) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future United States Internal Revenue law, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, or the corresponding provisions of any future United

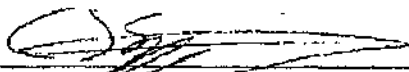
States Internal Revenue law.

**SEVENTH: Dissolution:** In the event of the liquidation, dissolution, or winding up of the Corporation, whether voluntary, involuntary, or by operation of law, except as may be otherwise provided by law, the Board shall have the power to dispose of the total assets of the Corporation in such manner as they may by a majority vote determine. However, such disposition shall be calculated to carry out the objects and purposes for which the Corporation is formed and only such objects and purposes. Further, such disposition shall be limited exclusively to qualified organizations as described in either Section 501(c)(3) or Section 170(c)(2) of the Internal Revenue Code of 1986, or the corresponding provisions of any future United States Internal Revenue law (but only if the property delivered, conveyed, and paid over to such organization described in Section 170(c)(2) is to be used exclusively for public purposes). Any such assets not so disposed of shall be disposed of by the Court of Chancery of the county in which the principal office of the Corporation is then located exclusively for such purposes or to such organization or organizations, as said Court shall determine which are organized and operated exclusively for such purposes.

**EIGHTH: Incorporator:** The name and mailing address of the incorporator is as follows:

Christopher J. Spizzirri, Esquire  
606 Market Street Mall  
Wilmington, DE 19801

**NINTH: I, The Undersigned,** being the incorporator hereinabove named, for the purpose of forming a corporation under the laws of the State of Delaware, do make, file, and record this Certificate, and do certify that the facts herein stated are true, and I have accordingly hereunto set my hand this 2<sup>nd</sup> day of September, A.D., 2003.

BY:   
Christopher J. Spizzirri, Esquire

MINUTES OF ACTION OF INCORPORATOR TAKEN WITHOUT A  
MEETING BY WRITTEN CONSENT

The following action is taken by the incorporator of PENCADER EDUCATION ASSOCIATION, by written consent, without a meeting on the date specified below.

The following resolution approving a form of bylaws for the governance of this corporation is adopted:

RESOLVED, that the bylaws presented to the incorporator, consisting of three (3) pages, which is attached hereto as Exhibit A, be adopted as the bylaws of this corporation, and that a copy of those bylaws shall be inserted in the minute book of this corporation.

The following resolution electing the directors of the corporation is adopted:

RESOLVED, that pursuant to the foregoing bylaws, authorizing BETWEEN FIVE AND TWENTY directors, the following persons are hereby appointed as directors of this corporation for the ensuing year and until their successor[s] have been elected and qualified.

Richard L. Abbott, Esquire, 5632 Kennett Pike, Centerville, DE 19807  
Katie Spizziri, 2208 Van Buren Place, Wilmington, DE 19802  
Chris Spizziri, 2208 Van Buren Place, Wilmington, DE 19802  
Dr. Aussat Alikhan, 915 Aster Avenue, Newark, DE 19713  
Charlene Whetsel, 241 West Red Lion Drive, Bear, DE 19701  
Brian DiSabatino, 100 Poplar Drive, Wilmington, DE 19801  
Dean McGrory, 3020 Rosetree Lane, Newark, DE 19702  
Deborah Hudson, 1022 Oriente Avenue, Greenville, DE 19807  
Mike Hamilton, 21 Arizona State Drive, Newark, DE 19713  
Dave Baylor, 100 LaGrange Avenue, Newark, DE 19702  
Dave Jones, 941 Rue Madora Drive, Bear, DE 19701  
Tommy Lu, 123 Halloween Run, Newark, DE 19702  
Roger Martin, 621 Colchester Court, Middletown, DE 19707

The following resolution electing the officers of the corporation is adopted:

RESOLVED, that pursuant to the foregoing bylaws, authorizing FOUR officers, the following persons are hereby appointed as officers of the board of this corporation for the ensuing year and until their successor[s] have been elected and qualified.

Richard L. Abbott, Esquire - Chariman  
Katie Spizziri - Vice Chairman  
Dave Jones - Treasurer  
Dr. Aussat Alikhan - Secretary

The undersigned, the incorporator of this corporation, consents to the foregoing action.



Christopher J. Spizzini, Incorporator

Dated: November 3, 2003

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

FORM 1023 ATTACHMENT

**BYLAWS**

**AMENDED AND RESTATED BYLAWS  
OF  
PENCADER EDUCATION ASSOCIATION**

**(As Adopted November 12, 2012)**

**Article I  
Name**

The name of the corporation shall be Pencader Education Association (the "Corporation").

**Article II  
Purposes**

Section 2.01. Purposes. The purposes for which the Corporation is established shall be as set forth in the Certificate of Incorporation. Without limiting the generality of the foregoing, the Corporation shall be authorized to organize and run a Charter School, currently known as Pencader Charter High School of Business & Finance (together with any successor thereto, "PCHS"), pursuant to the Charter School Act of 1995 (14 *Del. C.* §§ 501 *et seq.*). The nature of the activities to be conducted to accomplish the foregoing purposes shall be exclusively those within the purview of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

Section 2.02. Earnings. No part of the Corporation's earnings shall inure to the benefit of any member, Director, or officer, nor shall any substantial part of its activities consist in carrying on propaganda or otherwise attempting to influence legislation.

**Article III  
Offices**

Section 3.01. Registered Office. The registered office of the Corporation in the State of Delaware shall be located at 1000 North King Street, Wilmington, New Castle County, Delaware, 19801. The registered agent at such address in charge thereof shall be YCS&T Services LLC.

Section 3.02. Other Offices. The Corporation may also have offices at such other places as the Board of Directors of the Corporation may from time to time appoint or the business of the Corporation may require.

**Article IV  
Board of Directors/Members**

The business and affairs of the Corporation shall be governed and controlled by the Board of Directors (the "Board"). The Directors shall *ex officio* constitute the membership of the Corporation as the term "membership" is used in Article FOURTH of

the Certificate of Incorporation and shall *ex officio* constitute the members of the Corporation as the term "members" is used in Section 215 of the General Corporation Law of the State of Delaware. A Director shall be a member of the Corporation for only so long as such Director serves as a Director under these Bylaws. Each Director shall have one vote, whether voting as a Director or as a member; provided, however, that a Teacher Director (as defined below) shall not be permitted to vote on matters involving a student or students of PCHS or personnel of PCHS, or any other matter with respect to which such Teacher Director is deemed, by a majority of the other Directors in attendance at the meeting at which such matter is to be voted upon, to have a conflict of interest. For the avoidance of doubt, a Teacher Director shall be permitted to vote in the election of a Teacher Director or a Parent Director.

## **Article V**

### **Election of Directors; Board Procedures**

Section 5.01. Number of Directors; Qualifications. The Board shall consist of no fewer than five (5) and no more than nine (9) individuals. The exact number of seats on the Board shall be as determined from time to time by the Board, provided that any reduction in the number of seats on the Board shall not by itself cause any Director or Directors to be removed from the Board. Every Director shall be at least twenty-one (21) years of age. No fewer than one (1) Director and no more than two (2) Directors shall be a parent or parents (or legal guardian or guardians) of a student or students (as the case may be) presently attending PCHS (each such Director, a "Parent Director"), and at least one (1) Director shall be a Teacher presently employed by PCHS (a "Teacher Director").

Section 5.02. Term. Directors shall be elected to two-year (2-year) terms. The Directors shall be divided into two (2) classes as nearly equal in size as possible. The terms of the Directors in one such class shall expire in even-numbered years, and the terms of the Directors in the other such class shall expire in odd-numbered years. At any time when there is more than one Parent Director and/or more than one Teacher Director, such Parent Directors and/or such Teacher Directors, as the case may be, shall be divided as evenly as possible between such classes.

Section 5.03. Powers. The Board is expressly empowered to exercise all such powers and to do all such acts and things as may be exercised or done by the Corporation; subject, nevertheless, to the provisions of the statutes of the State of Delaware, the Certificate of Incorporation, and the Bylaws, in each case as they may be amended, altered, or changed from time to time.

#### Section 5.04. Elections of Directors.

(a) Elections of Directors shall be held annually. All Directors in office when each such election takes place shall be entitled to elect Directors to the class whose seats are up for election pursuant to Section 5.02. Any Director may succeed himself or herself if properly elected and qualified, subject to Section 5.05. Any Director may nominate such individual or individuals as are considered qualified for service as a

Director or Directors, subject to Section 5.01. At any time when there is only one (1) Parent Director on the Board, the seat of such Parent Director shall be filled with a Parent Director when such seat is up for election. At any time when there is only one (1) Teacher Director on the Board, the seat of such Teacher Director shall be filled with a Teacher Director when such seat is up for election. That number of individuals meeting the qualifications set forth herein and equaling the number of seats up for election at the time of such election, who have been so nominated and who receive the greatest number of votes in such election, shall constitute the class of Directors whose seats were up for election at the time of such election, from the time of such election until the earliest of the next election for such class and any such individual's death, resignation, or removal.

(b) If a Board vacancy shall occur due to the death, resignation, or removal of a Director, or due to an increase in the size of the Board, such vacancy may be filled by an individual nominated and elected at any regular or special meeting and otherwise in accordance with Section 5.04(a). Such individual shall serve until the earliest of the next regular election respecting the class in which such individual serves and such individual's death, resignation, or removal.

Section 5.05. Consecutive Terms. No individual shall serve more than three (3) consecutive two-year (2-year) terms as a Director. An individual who has served three (3) consecutive two-year (2-year) terms as a Director may again be elected to serve as a Director after a lapse of at least one (1) year, subject to Section 5.01.

Section 5.06. Resignation and Removal. A Director may resign at any time by delivering written notice thereof to the President of the Corporation or, if there is no President, to any other Director. Unless specified otherwise in such written notice of resignation, it shall take effect upon delivery. A Director may be removed only for cause and only by the vote of at least two-thirds (2/3) of the Directors then serving on the Board. A Director being considered for removal shall receive at least two (2) weeks' advance written notice of such proposed action, which notice shall state such facts as are deemed to constitute cause for removal, and shall be given an opportunity to address the Board regarding such proposed action prior to the vote on such proposed action. Without limiting the generality of the foregoing, a Parent Director's ceasing to be a parent in accordance with Section 5.01, and a Teacher Director's ceasing to be a teacher in accordance with Section 5.01, shall in each case conclusively constitute "cause" as such term is used in this Section 5.06.

Section 5.07. Quorum. A majority of the Directors then serving on the Board shall constitute a quorum of the Board for the conduct of business. Any action or resolution approved or adopted by a majority of the Directors attending a meeting at which a quorum is present shall be the action or resolution of the Board, except to the extent that a different proportion is required by law, by the Certificate of Incorporation, or by the Bylaws, in which case such different proportion shall apply.

Section 5.08. Board Action by Written Consent. Notwithstanding anything to the contrary contained in these Bylaws, any action that may be taken at a meeting of the

Board may be taken without notice and without a meeting if a consent or consents in writing setting forth the action so taken shall be signed by all of the Directors then serving on the Board and filed with the minutes of the proceedings of the Board.

Section 5.09. Annual Meeting. An annual meeting of the Board shall be held in July of each year for the election of Directors to the seats that are up for election in such year, for the election of officers, and to conduct such other business as may properly come before the Board.

Section 5.10. Regular Meetings. Regular meetings of the Board shall be held monthly in accordance with such schedule as the Board may adopt.

Section 5.11. Special Meetings. Special meetings of the Board may be called by the President and shall be called by the President if such is requested by at least two Directors.

Section 5.12. Notice and Place of Meetings.

(a) Written notice of the time and place of any meeting of the Board shall be given to each Director not less than seven (7) calendar days prior thereto. Notwithstanding the foregoing, a special or rescheduled meeting may be called on less than seven (7) calendar days' notice, but not less than twenty-four (24) hours' notice, if such notice states why the Board is unable to provide seven (7) calendar days' notice. For purposes of this Section 5.12(a), notice by e-mail to the most recent e-mail address provided by the Director receiving such notice shall constitute written notice.

(b) Notice of Board meetings shall be posted at PCHS in compliance with 29 *Del. C.* § 10004(e)(4). If the agenda of a meeting is not available at the time of the initial posting of the notice of such meeting, the agenda shall be posted when it becomes available and in any event not less than six (6) hours prior to such meeting, and such posting shall state the reason for the delay.

(c) The Board shall normally give notice of its intent to hold an executive session closed to the public for any topic covered under 29 *Del. C.* § 10004(b), and such notice shall comply with Section 5.12(a) and (b).

(d) The notice of any meeting shall include the agenda of such meeting if, and to the extent that, such agenda has been determined at the time of such notice. Nothing herein shall prohibit additions to, deletions from, or other changes to such agenda thereafter, including the addition or deletion of an executive session.

(e) Any Director may waive notice of a meeting. A Director shall be deemed to have waived notice if he or she attends a meeting for any purpose other than to protest the validity of the notice thereof.

(f) Any or all of the Directors may attend meetings telephonically, provided that all participants at any such meeting can hear each other.

(g) Meetings of the Board need not be held at the principal location of PCHS.

Section 5.13. Compliance with Freedom of Information Act. The Board shall conduct its meetings as if it were a public body as defined in 29 *Del. C.* § 10002(h). It is the intent of Section 5.12 and this Section 5.13 to comply with the Delaware Freedom of Information Act, 29 *Del. C.* §§ 10001 *et seq.* In the event of a conflict between such Sections and such Act, the applicable provisions of the latter shall control.

Section 5.14. Compensation. Directors shall receive no payment for their service as Directors. With Board approval (which may be withheld in the Board's sole and absolute discretion), and upon the presentation of itemized receipts therefor, the Corporation may reimburse a Director for out-of-pocket expenses actually and reasonably incurred by such Director in connection with Corporation business. No such expenses may be approved more than thirty (30) days after they are incurred or later than the regular board meeting next occurring after they are incurred, whichever is later.

Section 5.15. Meeting Attendance. Directors are expected to attend all Board meetings. A Director's unexcused failure to attend three (3) consecutive Board meetings, without an adequate reason being given therefor, shall conclusively constitute "cause" as such term is used in Section 5.06, without limiting the generality of such Section.

## **Article VI**

### **Board Committees**

Section 6.01. Establishment of Committees. The Board may appoint such standing committees and/or ad hoc committees as it may determine to be necessary or appropriate for the effective management of the Corporation, subject to Section 6.02 and any limitations imposed by law. The establishment of a standing committee shall require the approval of at least two-thirds (2/3) of the Directors then serving. Only Directors may serve on Board committees. The President shall be an *ex officio* member of each committee. The Board shall appoint a Teacher Director to be any committee as appropriate in view of such committee's authority, except that no Teacher Director shall serve on a committee that is to deliberate on such Teacher Director's evaluation, tenure, or salary.

Section 6.02. Authority of Committees. Any committee of the Board shall have only such authority as is delegated to it by the Board. In the case of a standing committee, the Board resolutions establishing such committee and setting forth its authority shall be added to the policy manual of PCHS. The authority of any Board committee shall be fact-finding, deliberative, and advisory to the Board, and no committee shall have authority to take legislative or administrative actions, or to adopt policies for PCHS.

## **Article VII**

### **Officers**

Section 7.01. Required Officers. The Corporation shall have a President, a Vice President, a Secretary, and a Treasurer, and shall have such other officers, if any, as the Board may determine. The duties and authority of an officer shall be as specified in the Bylaws or in the Board resolution appointing such officer or delegating such duties and authority. No individual may hold more than one office in the Corporation at the same time. Only Directors shall be eligible to serve as President and Vice President. Other officers need not be Directors.

Section 7.02. Selection. Officers shall be elected at each annual meeting of the Board and shall serve for one-year (1-year) terms and until their successors are elected and qualify, unless they earlier resign or are removed.

Section 7.03. Consecutive Terms. An individual may serve no more than five (5) consecutive one-year (1-year) terms as an officer. An individual who has served five (5) consecutive one-year (1-year) terms as an officer may again be elected to serve as an officer after a lapse of at least one (1) year.

Section 7.04. President. The President shall be the chief executive officer of the Corporation. The President shall preside at all meetings of the Board. The President may execute in the name of the Corporation contracts and other instruments or documents that are authorized by the Board. The President may delegate to any other officer any or all of the duties of the office of President. The President shall have such other powers and duties as may be prescribed by the Board or the Bylaws.

Section 7.05. Vice President. The Vice President shall have such duties and authority as may be delegated to him/her by the President. In the absence of the President, the Vice President shall perform all the duties of the President, including presiding at meetings of the Board, and when so acting, shall have all the responsibilities of and be subject to all the restrictions as fall upon the President. The Vice President shall have such other powers and duties as may be prescribed by the Board or the Bylaws.

Section 7.06. Secretary. The Secretary shall keep or cause to be kept the minutes of all meetings of the Board and the members, including the time and place thereof, the names of those present, the actions taken, and the votes on such actions. The Secretary shall present the minutes of any meeting at the next regular meeting to be voted on by the Board, which vote shall be duly noted in the minutes of such regular meeting. The Secretary shall keep the Seal of the Corporation, if any. The Secretary shall communicate with any Director after such Director's three (3) unexcused, consecutive absences, to ascertain such Director's interest in remaining a Director. The Secretary shall have such other powers and duties as may be prescribed by the Board or the Bylaws.

Section 7.07. Treasurer. The Treasurer shall be the chief financial officer of the Corporation and shall have oversight of the Corporation's Director of Business and Facilities or such other employee or agent of the Corporation as has charge of the financial records, investments, and evidences of school properties and assets. The Treasurer shall ensure that such individual keeps regular books of account for the Corporation. The Treasurer shall be the chair of the financial committee of the Board. The Treasurer shall regularly report to the Board as to the financial condition and results of the operations of the Corporation. The Treasurer shall have such other powers and duties as may be prescribed by the Board or the Bylaws.

Section 7.08. Removal. Any officer may be removed from office at any time, with or without cause, by the affirmative vote of two-thirds (2/3) of the Directors then serving.

## **Article VIII**

### **Records**

Section 8.01. Corporate Records. The Corporation shall keep at its registered office in Delaware or at its principal place of business wherever situated an original or duplicate record of the proceedings of the Board; the original or a copy of the Bylaws, including all amendments and alterations thereto to date; and a register giving the names and addresses of the Directors. The Corporation shall also keep complete and accurate books or records of account.

Section 8.02. Right of Inspection. Every Director shall, upon written demand, have a right to examine for any proper purpose, in person or by agent or attorney, during the usual hours for business and at the place where such books and records are kept, the books and records of account, and the records of the proceedings of the Board, and to make copies or extracts therefrom.

Section 8.03. Execution of Written Instruments. All contracts, deeds, mortgages, obligations, documents, and instruments, whether or not requiring a seal, may be executed by the President and attested by the Secretary. All checks, notes, drafts, and orders for the payment of money shall be signed by such one or more officers or agents as the Board may from time to time designate.

## **Article IX**

### **Irrevocable Dedication; Dissolution and Reversion**

Section 9.01. Irrevocable Dedication. The Corporation is not organized, nor shall it be operated, for a pecuniary gain or profit. The property, assets, profits, and net income of the Corporation are irrevocably dedicated to religious, charitable, scientific, and educational purposes, and no part of the profits or net income shall inure to the benefit of any officer, Director, or member thereof.

Section 9.02. Dissolution. Should the Corporation cease to act and be dissolved, its property and assets then remaining shall be paid over to and become the property of a

charitable organization designated by the Board; provided, however, that payment shall be made hereunder only to such corporations, trusts, foundations, or other organizations as are organized and operated exclusively for religious and/or charitable educational or scientific purposes and are exempt from federal income tax under Section 501(a) of the Code as organizations described in Section 501(c)(3) of the Code. In the event that the above organizations shall not qualify hereunder, the amount that they would have received upon dissolution shall be paid over to one or more other qualifying organizations.

## **Article X**

### **Indemnification**

Section 10.01. Right of Indemnification. Each person who was or is made a party to, or is threatened to be made a party to, or is involved in any action, suit, or proceeding, whether civil, criminal, administrative, or investigative (hereinafter a "proceeding"), by reason of the fact that he or she is or was a Director or officer of the Corporation or is or was serving at the request of the Corporation as a director, officer, employee, or agent of another corporation or of a partnership, joint venture, trust, or other enterprise, including service with respect to employee benefit plans, whether the basis of such proceeding is alleged action in an official capacity as such director, officer, employee, or agent, or in any other capacity while serving as such director, officer, employee, or agent, shall be indemnified and held harmless by the Corporation to the fullest extent authorized by the General Corporation Law of the State of Delaware, as the same exists or may hereafter be amended (but, in the case of any such amendment, only to the extent that such amendment permits the Corporation to provide broader indemnification rights than said law permitted the Corporation to provide prior to such amendment), against all expense, liability, and loss (including attorneys' fees, judgments, fines, other expenses and losses, amounts paid or to be paid in settlement, and excise taxes or penalties arising under the Employee Retirement Income Security Act of 1974) reasonably incurred or suffered by such person in connection therewith, and such indemnification shall continue as to a person who has ceased to be a Director, officer, employee, or agent, and shall inure to the benefit of his or her heirs, executors, and administrators; provided, however, that, except as provided in Section 10.02, the Corporation shall indemnify any such person seeking indemnification in connection with a proceeding (or part thereof) initiated by such person only if such proceeding (or part thereof) was authorized by the Board. The right to indemnification conferred in this Article X shall be a contract right and shall include the right of a Director or officer to be paid by the Corporation the expenses (including attorneys' fees) incurred in defending any such proceeding in advance of its final disposition; provided, however, that the payment of such expenses incurred by a Director or officer in his or her capacity as a Director or officer (and not in any other capacity in which service was or is rendered by such person while a Director or officer including, without limitation, service to an employee benefit plan) in advance of the final disposition of a proceeding shall be made only upon delivery to the Corporation of an undertaking, which undertaking shall itself be sufficient without the need for further evaluation of any credit aspects of the undertaking or with respect to such advancement, by or on behalf of such Director or officer, to repay all amounts so advanced if it shall ultimately be determined by a final, non-appealable

order of a court of competent jurisdiction that such Director or officer is not entitled to be indemnified under this Article X or otherwise.

Section 10.02. Right of Claimant to Bring Suit. If a claim under Section 10.01 is not paid in full by the Corporation within sixty (60) days after a written claim, together with reasonable evidence as to the amount of such claim, has been received by the Corporation, except in the case of a claim for advancement of expenses (including attorneys' fees), in which case the applicable period shall be twenty (20) days, the claimant may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim, and, if successful in whole or in part, the claimant shall also be entitled to be paid the expense, including attorneys' fees, of prosecuting such suit. It shall be a defense to any such suit, other than a suit brought to enforce a claim for expenses (including attorneys' fees) incurred in defending any proceeding in advance of its final disposition where the required undertaking, if any is required, has been tendered to the Corporation, that the claimant has not met the standards of conduct that make it permissible under the General Corporation Law of the State of Delaware for the Corporation to indemnify the claimant for the amount claimed, but the burden of proving such defense shall be on the Corporation. Neither the failure of the Corporation (including the Board or a committee thereof, or independent legal counsel) to have made a determination prior to the commencement of such suit that indemnification of the claimant is proper in the circumstances because he or she has met the applicable standard of conduct set forth in the General Corporation Law of the State of Delaware, nor an actual determination by the Corporation (including its Board of Directors or a committee thereof, or independent legal counsel) that the claimant has not met such applicable standard of conduct, shall be a defense to the suit or create a presumption that the claimant has not met the applicable standard of conduct. In any suit brought by an indemnitee to enforce a right to indemnification or to advancement of expenses hereunder, or by the Corporation to recover an advancement of expenses pursuant to the terms of an undertaking, the burden of proving that the indemnitee is not entitled to such indemnification, or to such advancement of expenses, under this Article V or otherwise shall be on the Corporation.

Section 10.03. Non-Exclusivity of Rights. The right to indemnification and the payment of expenses incurred in defending a proceeding in advance of its final disposition conferred in this Article X shall not be exclusive of any other right that any person may have or hereafter acquire under any statute, provision of the certificate of incorporation, bylaw, agreement, or vote of disinterested directors, or otherwise.

Section 10.04. Insurance. The Corporation may maintain insurance, at its expense, to protect itself and any Director, officer, employee, or agent of the Corporation or another corporation, partnership, joint venture, trust, or other enterprise against any such expense, liability, or loss, whether or not the Corporation would have the power to indemnify such person against such expense, liability, or loss under the General Corporation Law of the State of Delaware.

Section 10.05. Set-Off of Indemnification Remedies; Subrogation. In the case of a claim for indemnification or advancement of expenses against the Corporation under

this Article X arising out of acts, events, or circumstances for which the claimant, who was at the relevant time serving as a director, officer, employee, or agent of any other entity at the request of the Corporation, may be entitled to indemnification or advancement of expenses pursuant to such other entity's certificate of incorporation or bylaws or a contractual agreement between the claimant and such entity, the claimant seeking indemnification or advancement of expenses hereunder shall first seek indemnification or advancement of expenses pursuant to any such certificate of incorporation, bylaw, or agreement. To the extent that amounts to be paid in indemnification or advancement to a claimant hereunder are paid by such other entity, the claimant's right to indemnification and advancement of expenses hereunder shall be reduced.

## **Article XI**

### **Additional Provisions**

Section 11.01. Fiscal Year. The fiscal year of the Corporation shall be July 1 to June 30, unless otherwise determined by the Board.

Section 11.02. Audit. At the close of each fiscal year, the accounts of the Corporation shall be audited by an independent auditor, who shall be either a Certified Public Accountant or a State of Delaware Auditor.

Section 11.03. Notices. Any notice required or permitted to be given hereunder shall be deemed to have been given upon delivery if delivered in person, shall be deemed to have been given upon sending it sent by e-mail, and shall be deemed to have been given three (3) business days after it is deposited in the U.S. mail, postage prepaid, if sent by U.S. mail.

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

FORM 1023 ATTACHMENT  
**NON-DISCRIMINATORY POLICY**

## NON-DISCRIMINATION POLICY

Pencader Charter High School is an equal opportunity educational institution and does not discriminate, or permit its employees to discriminate, on the basis of race, religion, color, national origin, sex, marital status, political affiliation, age, or handicap in its actions, programs, or employment practices.

Information regarding civil rights or specific grievance procedures contact:

### Americans with Disabilities Act (ADA)

Section 504

Contact Helen Swartz, Director of Special Programs/Services, PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL, 170 Lukens Drive, New Castle, DE 19720, Telephone (302) 472-0794.

### Title VI

Contact the School Leader, Brad Catts, PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL, 170 Lukens Drive, New Castle, DE 19720, Telephone (302) 472-0794.

### Title IX

Contact Athletic Director, Brian Sprinkle, PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL, 170 Lukens Drive, New Castle, DE 19720, Telephone (302) 472-0794.

### Asbestos Notification

The Code of Federal Register final rule (40 CFR 763), established in 1987 required an AHERA (Asbestos Hazardous Emergency Response Act) Management Plan to be developed with an initial asbestos inspection inclusive of bulk sampling analysis of suspected asbestos materials located within the interior. The exempt materials are inclusive of but not limited to exterior components of the building. Every three years a re-inspection is to be performed on the ACM following the initial inspection. All records are filed and maintained at Pencader Charter High School.

The results of the required bulk sampling performed by Harvard Environmental Inc. determined that no asbestos was detected on any of the specific materials subject to AHERA inspections. The management plan was completed by Harvard on 3/31/08 and is available for review upon request.

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

FORM 1023 ATTACHMENT  
**IRS EXEMPTION LETTER**

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

APR 24 2006

PENCADER EDUCATION ASSOCIATION  
C/O DAVE JONES  
170 LUKEN DR  
NEW CASTLE, DE 19720-2727

Employer Identification Number:

20-0388633

DLN:

17053318017035

Contact Person:

STEPHEN D SEOK

ID# 31125

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Public Charity Status:

170(b)(1)(A)(ii)

Form 990 Required:

Yes

Effective Date of Exemption:

September 4, 2003

Contribution Deductibility:

Yes

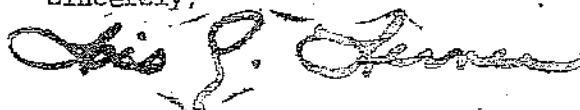
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner  
Director, Exempt Organizations  
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)

Letter 947 (DO/CG)

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

FORM 1023 ATTACHMENT  
**EXPLANATIONS OF SELECTIVE ITEMS**

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ATTACHMENT TO FORM 1023

**PART IV -- NARRATIVE DESCRIPTION OF ACTIVITIES OF THE ORGANIZATION**

THE PENCADER EDUCATION ASSOCIATION WAS INCORPORATED ON SEPTEMBER 3, 2003 IN THE STATE OF DELAWARE TO ORGANIZE AND OPERATE A CHARTER SCHOOL IN THE COUNTY OF NEW CASTLE, DELAWARE. IN APRIL 2006, THE INTERNAL REVENUE SERVICE GRANTED THE ORGANIZATION EXEMPT STATUS UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE SERVICE CODE, EFFECTIVE SEPTEMBER 3, 2003. A COPY OF THE APRIL 26, 2004 IRS DETERMINATION LETTER IS ATTACHED.

THE PENCADER EDUCATION ASSOCIATION OPENED THE PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL IN 2006. PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL IS A PUBLIC CHARTER HIGH SCHOOL IN THE STATE OF DELAWARE AND MAINTAINS A FOCUS ON BUSINESS EDUCATION AS A CORE CONTENT ALONG WITH MATHEMATICS, SCIENCE, SOCIAL STUDIES, AND ENGLISH. PENCADER IS THE ONLY BUSINESS AND FINANCE HIGH SCHOOL IN DELAWARE. PENCADER IS ALSO THE FIRST AND ONLY HIGH SCHOOL IN DELAWARE TO OFFER THE HIGH SCHOOL FOR BUSINESS PROGRAM THROUGH MBA RESEARCH. WHETHER STUDENTS WANT TO PURSUE A CAREER IN MEDICINE, SPORTS MANAGEMENT, FORENSIC SCIENCE, OR BECOME A SMALL BUSINESS OWNER, STUDENTS HAVE ACCESS TO AN EXEMPLARY EDUCATION WITH HIGHLY QUALIFIED TEACHERS AND AN INNOVATIVE AND CHALLENGING ACADEMIC ATMOSPHERE. THROUGH PENCADER'S EXTRACURRICULAR ACTIVITIES, THERE ARE MULTIPLE OPPORTUNITIES FOR ACADEMIC ENRICHMENT. THESE ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO BUSINESS PROFESSIONALS OF AMERICA (BPA), WHICH IS NATIONALLY RECOGNIZED, MATH LEAGUE, ECO CLUB, SCIENCE OLYMPIAD, ROBOTICS CLUB, NATIONAL HONOR SOCIETY, AND YEARBOOK.

PENCADER'S CURRICULUM IS A UNIQUE COMBINATION OF ACADEMIA AND CHARACTER EDUCATION, AS WELL AS BUSINESS AND FINANCE COURSES THAT WILL ENABLE STUDENTS TO MEET OR EXCEED THE DELAWARE PERFORMANCE REQUIREMENTS FOR GRADUATION. UPON GRADUATION, STUDENTS WILL BE EQUIPPED WITH THE SKILLS NEEDED FOR EMPLOYMENT IN THE BUSINESS AND FINANCE INDUSTRY AND/OR TO PURSUE STUDIES AT A POST-SECONDARY LEVEL. PENCADER OFFERS A FULL LINE OF ADVANCED PLACEMENT COURSES IN MATHEMATICS, SCIENCE, SOCIAL STUDIES AND ENGLISH. FOR THE SECOND YEAR, PENCADER HAS BEEN AWARDED A NASA MINI GRANT WHICH SUPPORTS THE AERONAUTICS AND ROBOTICS PROGRAM. PENCADER ALSO OFFERS SPORTS WHICH INCLUDE, BUT ARE NOT LIMITED TO FOOTBALL, SOCCER, VOLLEYBALL, BASKETBALL, BASEBALL,

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EIN: 20-0388633

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LACROSSE, AND SOFTBALL. PENCADER WORKS WITH THE 'WHOLE' CHILD AND USES EVERY OPPORTUNITY TO INTEGRATE LEARNING ACROSS ITS CURRICULUM AND THROUGH ITS SPORTS AND OTHER EXTRACURRICULAR ACTIVITIES.

**PART V, QUESTION 1A -- SCHEDULE OF OFFICERS, DIRECTORS AND BOARD MEMBERS**

<u>NAME</u>	<u>TITLE</u>	<u>MAILING ADDRESS</u>	<u>ANNUAL COMPENSATION</u>
FRANK MCINTOSH	VICE PRESIDENT	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
DR. DAN YOUNG	VICE PRESIDENT	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
CHARLES EVANS	SECRETARY	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
DAPHNE DAVIS	COMMUNITY MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
JUDI KENNEDY	PARENT MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
JEMUEL ANDERSON	TEACHER REPRESENTATIVE	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$26,991
FRED DAWSON	COMMUNITY MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
JACALYN BEAM	COMMUNITY MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE

**PART V, QUESTION 1B -- SCHEDULE OF HIGHEST COMPENSATED EMPLOYEES RECEIVING COMPENSATION OVER \$50,000**

<u>NAME</u>	<u>TITLE</u>	<u>MAILING ADDRESS</u>	<u>ANNUAL COMPENSATION</u>
ANN LEWIS	Head of School	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$122,594
AMANDA FRASER	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$102,746
KAREN DICKENS	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$76,793

PENCADER EDUCATION ASSOCIATION  
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BRETT TOWNSEND	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$59,185
ELIZABETH MCKENNY	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$53,339

**PART V, QUESTION 3A -- QUALIFICATIONS, AVERAGE HOURS WORKED AND DUTIES**

**OFFICERS, TRUSTEES AND DIRECTORS REPORTED IN QUESTION 1A**

DUTIES FOR OFFICERS: REFER TO ARTICLE V OF THE ORGANIZATION'S BYLAWS AT SUBHEADING "OFFICERS AND POWERS." A COPY OF THE ORGANIZATION'S BYLAWS IS PROVIDED AS SUPPORTING DOCUMENTATION FOR FORM 1023, PART II, ITEM 5.

QUALIFICATIONS: FROM DEDOE ADMINISTRATIVE REGULATIONS, REGULATION 275:

**4.0 STANDARDS AND CRITERIA FOR GRANTING CHARTER**

**4.1 APPLICANT QUALIFICATIONS**

4.1.1 THE APPLICANT MUST DEMONSTRATE THAT ITS BOARD OF DIRECTORS HAS AND WILL MAINTAIN COLLECTIVE EXPERIENCE, OR CONTRACTUAL ACCESS TO SUCH EXPERIENCE, IN THE FOLLOWING AREAS:

4.1.1.1 RESEARCH BASED CURRICULUM AND INSTRUCTIONAL STRATEGIES, TO PARTICULARLY INCLUDE THE CURRICULUM AND INSTRUCTIONAL STRATEGIES OF THE PROPOSED EDUCATIONAL PROGRAM.

4.1.1.2 BUSINESS MANAGEMENT, INCLUDING BUT NOT LIMITED TO ACCOUNTING AND FINANCE.

4.1.1.3 PERSONNEL MANAGEMENT.

ATTACHMENT TO FORM 1023

4.1.1.4 DIVERSITY ISSUES, INCLUDING BUT NOT LIMITED TO OUTREACH, STUDENT RECRUITMENT, AND INSTRUCTION.

4.1.1.5 AT RISK POPULATIONS AND CHILDREN WITH DISABILITIES, INCLUDING BUT NOT LIMITED TO STUDENTS ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES.

4.1.1.6 SCHOOL OPERATIONS, INCLUDING BUT NOT LIMITED TO FACILITIES MANAGEMENT.

4.1.2 THE APPLICATION MUST IDENTIFY THE CERTIFIED TEACHERS, THE PARENTS AND THE COMMUNITY MEMBERS WHO HAVE BEEN INVOLVED IN THE PREPARATION OF THE APPLICATION AND THE DEVELOPMENT OF THE PROPOSED CHARTER SCHOOL.

4.1.3 THE APPLICANT'S BYLAWS MUST BE SUBMITTED WITH THE APPLICATION AND MUST DEMONSTRATE THAT:

4.1.3.1 AT THE TIME AT WHICH THE SCHOOL COMMENCES ITS INSTRUCTIONAL PROGRAM AND ALL TIMES THEREAFTER, THE BOARD OF DIRECTORS OF THE CHARTER HOLDER MUST INCLUDE A DELAWARE CERTIFIED TEACHER EMPLOYED AS A TEACHER AT A CHARTER SCHOOL OPERATED BY THE APPLICANT IN DELAWARE AND ALSO INCLUDE AT LEAST ONE PARENT OF A STUDENT ENROLLED IN A CHARTER SCHOOL OPERATED IN DELAWARE BY THE CHARTER HOLDER; FURTHER PROVIDED A SINGLE INDIVIDUAL SHALL NOT REPRESENT BOTH THE CERTIFIED TEACHER AND PARENT ROLE ON THE BOARD;

AVERAGE HOURS WORKED AND QUALIFICATIONS FOR OFFICERS AND BOARD MEMBERS: SEE EXPLANATION FOR PART V, QUESTION 1A

**PART V, QUESTION 4G -- EXPLANATION OF COMPENSATION POLICIES**

SEE EXPLANATION FOR PART V, QUESTION 5B, BELOW.

**PART V, QUESTION 5B -- PROCEDURES FOR ESTABLISHING COMPENSATION**

PENCADER EDUCATION ASSOCIATION DOES NOT HAVE A CONFLICT OF INTEREST POLICY FOR INDIVIDUALS WHO APPROVE COMPENSATION ARRANGEMENTS TO FOLLOW IN SETTING SUCH COMPENSATION.

ATTACHMENT TO FORM 1023

ALL COMPENSATION ARRANGEMENTS ARE REVIEWED AND APPROVED BY THE BOARD OF DIRECTORS.

THE BOARD MEMBERS ARE NOT COMPENSATED FOR THEIR SERVICES

THE ORGANIZATION IS IN THE PROCESS OF ADOPTING A CONFLICT OF INTEREST POLICY.

**PART V, QUESTION 5C -- EXPLANATION REGARDING BUSINESS DEALINGS**

PENCADER EDUCATION ASSOCIATION'S BOARD OF DIRECTORS ARE REQUIRED TO RECUSE THEMSELVES IN INSTANCES WHERE A CONFLICT OF INTEREST MIGHT ARISE. THIS PROCEDURE IS IN PLACE TO MAKE CERTAIN THAT INDIVIDUALS WHO HAVE A CONFLICT OF INTEREST DO NOT INFLUENCE ANY BUSINESS DEALINGS BETWEEN THE ORGANIZATION AND THEMSELVES.

THE ORGANIZATION IS IN THE PROCESS OF ADOPTING A CONFLICT OF INTEREST POLICY.

**PART VI, QUESTION 1A -- EXPLANATION OF PROGRAMS THAT PROVIDE SERVICES**

PENCADER EDUCATION ASSOCIATION PROVIDES EDUCATIONAL SERVICES TO RESIDENT INDIVIDUALS AND FAMILIES IN NEW CASTLE COUNTY, DELAWARE THROUGH ITS CHARTER PROGRAM, PENCADER CHARTER HIGH SCHOOL.

PENCADER EDUCATION ASSOCIATION ("PENCADER") IS A GRADE 9-12 HIGH SCHOOL CHARTERED UNDER DELAWARE LAW (14 DEL. C. SECTION 501, ET SEQ). AS A DELAWARE CHARTER SCHOOL, PENCADER PROVIDES STUDENTS IN GRADES 9-12 AN INNOVATIVE AND CHALLENGING ACADEMIC ATMOSPHERE. PENCADER'S CURRICULUM IS A UNIQUE COMBINATION OF ACADEMIA AND CHARACTER EDUCATION, AS WELL AS BUSINESS AND FINANCE COURSES THAT ENABLE STUDENTS TO MEET OR EXCEED THE DELAWARE PERFORMANCE REQUIREMENTS FOR GRADUATION. UPON GRADUATION, STUDENTS ARE EQUIPPED WITH THE SKILLS NEEDED TO BE EMPLOYED IN THE BUSINESS AND FINANCE INDUSTRY OR TO PURSUE SUCH STUDIES AT A POST SECONDARY LEVEL. BUSINESS COURSES FOCUS ON CURRENT

ATTACHMENT TO FORM 1023

AND ACCEPTED BUSINESS PRACTICES AND MODALITIES AND ARE DESIGNED TO EQUIP STUDENTS WITH AN AWARENESS OF THE RAPIDLY CHANGING AND INCREASINGLY INTERCONNECTED WORLD ECONOMY.

THE PRIMARY GOAL OF PENCADER IS TO DELIVER INSTRUCTION TO STUDENTS THAT ENABLE THEM TO BE SUCCESSFUL IN THE BUSINESS AND FINANCE INDUSTRY IMMEDIATELY FOLLOWING HIGH SCHOOL GRADUATION AND/OR TO PREPARE STUDENTS SEEKING A POST SECONDARY EDUCATION IN BUSINESS AND FINANCE. IT IS ALSO OUR GOAL TO HAVE STUDENTS MEET OR EXCEED THE PERFORMANCE STANDARDS SET FOR THE DSTP AND TO BE ABLE TO RECEIVE A "DISTINGUISHED" DIPLOMA SHOULD THE 3-TIERED DIPLOMA SYSTEM BE REINSTITATED.

TO ACHIEVE OUR GOAL, THE STAFF OF PENCADER WILL:

- PROVIDE DIFFERENTIATED INSTRUCTION TO MEET THE LEARNING NEEDS OF ALL OUR STUDENTS.
- PROVIDE AN INTEGRATED CURRICULUM THAT SUPPORTS THE DELAWARE CONTENT STANDARDS.
- PROVIDE BUSINESS AND FINANCE CURRICULUM IN ALIGNMENT WITH THE NATIONAL COUNCIL ON ECONOMIC EDUCATION.
- PROVIDE STUDENTS WITH AN OPPORTUNITY FOR INTERNSHIPS IN THE BUSINESS AND FINANCE INDUSTRY.
- WORK WITH TECHPREP DELAWARE TO PROVIDE HANDS-ON TECHNICAL TRAINING WITH ACADEMIC STUDIES.
- FOLLOW THE NATIONAL ACADEMY OF FINANCE CURRICULUM.
- WORK WITH STUDENTS WHO HAVE AN IIP TO ACHIEVE A PASSING SCORE ON THE DSTP.
- PROVIDE A SAFE AND ORDERLY LEARNING ENVIRONMENT.

UPON GRADUATION, STUDENTS WILL BE ABLE TO:

- COMMUNICATE EFFECTIVELY IN WRITING AND ORALLY.
- SOLVE PROBLEMS USING HIGHER ORDER THINKING SKILLS.
- SEEK EMPLOYMENT OR HIGHER EDUCATION IN THE BUSINESS WORLD.

ATTACHMENT TO FORM 1023

**PART VIII, QUESTION 4A – DESCRIPTION OF EACH FUNDRAISING PROGRAM**

EMAIL SOLICITATIONS – PENCADER SOLICITS CONTRIBUTIONS VIA EMAIL TO INDIVIDUALS WITHIN THE NEW CASTLE COUNTY, DELAWARE REGION.

PERSONAL SOLICITATIONS - PENCADER SOLICIT CONTRIBUTIONS VIA PERSONAL COMMUNICATION.

FOUNDATION AND GOVERNMENT GRANT SOLICITATIONS – PENCADER APPLIES FOR GRANTS TO OBTAIN FUNDING.

**PART VIII, QUESTION 4D – DESCRIPTION OF FUNDRAISING**

DESCRIPTION OF FUNDRAISING PROGRAMS

PENCADER CHARTER HIGH SCHOOL HAS ENGAGED IN NUMEROUS FUNDRAISING ACTIVITIES IN PRIOR YEARS. THESE INCLUDE FUNDRAISERS AT LOCAL RESTAURANTS THAT PROVIDE THE SCHOOL WITH A PERCENTAGE OF THE PROFITS RECEIVED FROM SCHOOL-RELATED EVENTS; "JEAN DAY" DONATIONS BY STUDENTS TO SCHOOL CLUBS; ANNUAL GIVING PROGRAMS INCLUDING SOLICITATIONS BY LETTER AND EMAILS TO PARENTS AND OTHERS IN THE COMMUNITY; SOLICITATION OF DONATIONS FROM ITS PARENT-TEACHER ORGANIZATION (PTO); AND APPLICATIONS FOR FEDERAL GRANTS THROUGH TITLE I AND TITLE II PROGRAMS.

UPON THE REINSTATEMENT OF ITS TAX EXEMPT STATUS, THE SCHOOL INTENDS TO CONTINUE WITH THESE ACTIVITIES AND, THROUGH ITS NEWLY ESTABLISHED MARKETING COMMITTEE, EXPAND ITS FUNDRAISING TO OTHER EFFORTS SUCH AS SOLICITATION OF PRIVATE FOUNDATIONS, ADDITIONAL SCHOOL EVENTS, AND OTHER ACTIVITIES.

AT THIS POINT, PENCADER INTENDS TO USE ITS STAFF TO DO ALL OF THE FUND RAISING AND IT WILL NOT BE RETAINING ANY INDEPENDENT CONTRACTORS OR THIRD PARTY FUND RAISING COMPANIES.

**PART VII, QUESTION 5 – AFFILIATION WITH GOVERNMENTAL UNIT**

ATTACHMENT TO FORM 1023

PENCADER IS AFFILIATED WITH THE DEPARTMENT OF EDUCATION AND THE DELAWARE DEPARTMENT OF EDUCATION. AS A CHARTER SCHOOL, PENCADER IS SUBJECT TO THE RULES AND REQUIREMENTS SET FORTH BY THESE FEDERAL AND STATE EDUCATION DEPARTMENTS.

**SCHEDULE B, SECTION I, QUESTION 1B -- TYPE OF SCHOOL**

THE PENCADER EDUCATION ASSOCIATION OPERATES THE PENCADER CHARTER HIGH SCHOOL, WHICH PROVIDES FORMAL HIGH SCHOOL EDUCATION TO STUDENTS. THE CHARTER HIGH SCHOOL COMPLIES WITH THE DELAWARE DEPARTMENT OF EDUCATIONS REQUIREMENTS FOR OPERATING A CHARTER SCHOOL.

**SCHEDULE B, SECTION I, QUESTION 2**

Title 14, Delaware Code, Chapter 5:

§ 509. School financing.

(a) Charter schools shall be eligible for public funds under procedures established by this section. Notwithstanding that this Code may establish procedures for the funding of a public school choice program and that such program may include charter schools among those schools which students may choose, funding for charter schools shall be as provided in this section.

(b) A charter school shall receive a payment with respect to each of its students equal to:

(1) From the State on or before November 30, the funding equivalent to the Division I staffing, including fractional funding of partial units, excluding funding for a Superintendent, Division II -- All Other Costs and Energy funding, minor capital improvements and school building maintenance funded generated by the annual student unit count conducted on September 30 of each year in accordance with Department of Education regulations. In the case of Division III -- Equalization, a charter school shall receive from the State an amount that is determined by weighting the Division III per unit values that would have been generated by its students had they been counted in their district of residence. In addition, a charter school shall receive a pro-rated portion of any other funds appropriated to the Department of Education that are intended to be allocated on a student, employee or school state share. For the purposes of calculating such funding, each charter school student shall be counted in a separately reported unit count of the charter school, and not counted for any purposes in the student's district of residence. For any partially funded unit generated at a charter school, the charter school is free to negotiate the use of such unit with the chartering district, and other public school districts, in order to purchase central

ATTACHMENT TO FORM 1023

custodial, administrative, clerical, direct teaching or educationally related services. If such an agreement is not negotiated, a payment based on the average State cost per unit shall be payable to both the charter school and the district issuing the charter, provided that the sum of both fractions justifies an additional unit. The State shall advance 75% of the anticipated funding pursuant to this subsection at the beginning of each fiscal year, provided that the charter school has provided the Department of Education with a preliminary roster of its students on or before May 1 of such year, and does not maintain the status of formal review or probation. The status of formal review or probation shall prompt the Department of Education to advance a level of funding appropriate to pending administrative action. A final roster shall be due September 30. Notwithstanding the above, a charter school in its first year of operation shall receive 50% of the anticipated funding pursuant to this subsection at the beginning of the fiscal year, provided that the charter school has provided the Department of Education with a preliminary roster of its students on or before May 1 of such year. The charter school shall receive an additional 25% of the funding due pursuant to this subsection on October 1 of its first year in operation and shall receive the remaining 25% on February 1 of its first year in operation, provided that the school has completed and posted the required standardized financial report forms and the Department has reviewed those forms and determined that the school's finances will not at that time lead the Department to submit the school for formal review pursuant to § 515 of this title. A determination that the school will be submitted for formal review shall prompt the Department of Education to advance a level of funding appropriate to pending administrative action. The percentage of funding to be provided to charter schools on July 1 and October 1 pursuant to the above may be increased in the Secretary's discretion.

(2) From the school districts in which its students reside on or before November 30 of each year, the local cost per student (regular or special education, as the case may be), net of transportation expenses provided for pursuant to § 508 of this title. The school districts in which its students reside shall advance at least 35% of the anticipated funding pursuant to this subsection at the beginning of each fiscal year provided that the charter school has provided the school districts of residence with a preliminary roster of its students on or before May 1 of such year. This advance may be paid from Division III -- Equalization funds if the district's prior fiscal year current expense local funds balance was 20% or less pursuant to § 1507 of this title. A final roster shall be due September 30.

(c) If a parent or legal guardian of a student enrolled outside the district pursuant to this chapter moves during the school year to a district different from the district in which that parent's or legal guardian's child resided at the time of the annual unit count, the child's first district of residence shall continue to be responsible for payments to the charter school for the balance of the school year pursuant to paragraph (b)(2) of this section. The child's new district of residence shall be responsible for all such payments during succeeding years.

(d) The Department of Education shall annually calculate the local cost per student expended by each school district for each type of student for the year immediately

ATTACHMENT TO FORM 1023

preceding based on the formula set forth in subsection (e) of this section, adjusted by a factor necessary to fund the charter school on a basis reasonably equivalent to the current year local cost per student, which factor shall be established in the annual Appropriations Act. The Department shall annually certify each local district's local cost per student expenditure by September 1st of each year.

(e) Local cost per student as used in this section shall be calculated as follows:

Total Local Operating Expenditure in Preceding Fiscal Year  
\_\_\_\_\_ Total Division I Units minus Spec School Units  
\_\_\_\_\_ Number of Pupils per Unit

Where:

Total Local Operating = Sum of all expenditures

Expenditure in from local sources minus Preceding FY local expenditures for tuition minus local expenditures For debt service minus local expenditures for Minor Capital Improvement minus local cafeteria expenditures minus any other local expenditures deemed by the Secretary of Education to be inappropriate for inclusion for the purpose of this chapter.

Division I Units = Division I Units certified by For each District the Department of Education or Special School as of September 30th of each year

Pupils per Unit = Number of Pupils required for particular unit of funding as specified in § 1703 of this title.

(f) For any student, who because of educational need requires services that are appropriately financed pursuant to the provisions of Chapter 6 of this title, either at the outset or subsequent to a decision to enroll in a charter school, the student's district of residence shall remain financially responsible for such student and the charter school shall receive from such district a payment determined in accordance with the provisions of Chapter 6 of this title.

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

FORM 1023 ATTACHMENT  
**FINANCIAL INFORMATION**

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## ATTACHMENT TO FORM 1023

**PART IX - FINANCIAL DATA****SECTION A - STATEMENT OF REVENUES AND EXPENSES**

	FROM TO	7/1/2011 6/30/2012	7/1/2010 6/30/2011	7/1/2009 6/30/2010	7/1/2008 6/30/2009	TOTALS
TYPE OF REVENUE OR EXPENSE						
1	GIFTS, GRANTS, CONTRIBUTIONS RECEIVED	3,801,926	4,268,294	4,116,437	3,821,223	16,007,880
2	MEMBERSHIP FEES RECEIVED	-	-	-	-	-
3	GROSS INVESTMENT INCOME	3,232	-	-	-	3,232
4	NET UNRELATED BUSINESS INCOME	-	-	-	-	-
5	TAXES LEVIED FOR YOUR BENEFIT	-	-	-	-	-
6	VALUE OF SERVICES/FACILITIES FURNISHED BY GOVERNMENT	-	-	-	-	-
7	ANY REVENUE NOT OTHERWISE LISTED ABOVE	74,395	-	-	-	74,395
8	<b>TOTAL OF LINES 1 THROUGH 7</b>	<b>3,879,553</b>	<b>4,268,294</b>	<b>4,116,437</b>	<b>3,821,223</b>	<b>16,085,507</b>
9	GRANTS RECEIVED FROM ANY ACTIVITY THAT IS RELATED TO EXEMPT PURPOSE	1,401,177	1,909,571	1,912,940	1,525,125	6,748,813
10	<b>TOTAL OF LINES 8 AND 9</b>	<b>5,280,730</b>	<b>6,177,865</b>	<b>6,029,377</b>	<b>5,346,348</b>	<b>22,834,320</b>
11	NET GAIN OR LOSS ON SALE OF CAPITAL ASSETS	-	-	-	-	-
12	UNUSUAL GRANTS	-	-	-	-	-
13	<b>TOTAL REVENUE (LINES 10 THROUGH 12)</b>	<b>5,280,730</b>	<b>6,177,865</b>	<b>6,029,377</b>	<b>5,346,348</b>	<b>22,834,320</b>
14	FUNDRAISING EXPENSES	6,489	-	-	-	6,489
15	CONTRIBUTIONS, GIFTS, GRANTS PAID OUT	-	-	-	-	-
16	DISBURSEMENTS TO/FOR BENEFIT OF MEMBERS	-	-	-	-	-
17	COMPENSATION OF OFFICERS, DIRECTORS, TRUSTEES	-	-	-	-	-
18	OTHER SALARIES AND WAGES	1,540,788	2,237,716	2,208,264	1,902,183	7,888,951
19	INTEREST EXPENSE	17,733	-	-	-	17,733
20	OCCUPANCY	875,626	1,431,130	1,316,210	1,387,787	5,010,753
21	DEPRECIATION	15,297	22,655	-	-	37,952
22	PROFESSIONAL FEES	402,443	184,924	464,860	324,249	1,376,476
23	ANY EXPENSE NOT OTHERWISE CLASSIFIED	1,727,866	2,121,574	2,015,281	1,725,307	7,590,028
24	<b>TOTAL EXPENSES (LINES 14 THROUGH 23)</b>	<b>4,586,242</b>	<b>5,997,999</b>	<b>6,004,615</b>	<b>5,339,526</b>	<b>21,928,382</b>

ATTACHMENT TO FORM 1023

**PART IX - FINANCIAL DATA, CONTINUED**

**SECTION A, LINE 7- ANY OTHER REVENUE NOT OTHERWISE LISTED**

		FOR TAX YEAR ENDED		
	6/30/2012	6/30/2011	6/30/2010	6/30/2009
OTHER LOCAL REVENUE	\$ 74,395			

**SECTION A, LINE 9 - GROSS RECEIPTS FROM SERVICES PERFORMED AND MERCHANDISE SOLD**

		FOR TAX YEAR ENDED		
	6/30/2012	6/30/2011	6/30/2010	6/30/2009
SCHOOL DISTRICT REVENUE	\$ 1,348,260	\$ 1,591,940	\$ 1,560,669	\$ 1,525,125
SCHOOL LUNCH REVENUE	29,977	317,631	352,271	
ATHLETIC RECEIPTS	22,940	0		
<b>TOTAL TO LINE 9</b>	<b>\$ 1,401,177</b>	<b>\$ 1,909,571</b>	<b>\$ 1,912,940</b>	<b>\$ 1,525,125</b>

**SECTION A, LINE 23 - EXPENSES NOT OTHERWISE CLASSIFIED**

		FOR TAX YEAR ENDED		
	6/30/2012	6/30/2011	6/30/2010	6/30/2009
EMPLOYEE BENEFITS	\$ 802,663	\$ 951,998	\$ 780,344	\$ 709,848
COMPUTER SERVICES	36,862	-		
OFFICE SUPPLIES	19,336	48,575	31,929	27,327
COMMUNICATION SERVICES	6,531	-	-	-
SCHOLARSHIPS	4,288	-	-	-
RENTALS	14,389	-	-	-
DUES AND SUBSCRIPTIONS	26,205	-	-	-
STUDENT BODY ACTIVITY	29,264	206,568	78,959	55,701
MISC STUDENT EXPENSES	48,326	3,867	10,541	5,158
INSTRUCTIONAL SUPPLIES	75,424	119,940	93,269	73,605
VEHICLE AND EQUIPMENT MAINTENANC	4,547	4,887	3,379	5,204
ATHLETIC SUPPLIES	19,873	-		
ATHLETIC AND INSTITUTIONAL EQUIPME	9,123	-	153,013	131,269
MAINTENANCE	146,932	86,377	164,673	120,056
TRANSPORTATION - BUSES	439,553	567,403	591,201	507,505
TUITION			11,276	14,802
FOOD COSTS	44,550	131,959	96,697	74,832
<b>TOTAL TO LINE 23</b>	<b>\$ 1,727,866</b>	<b>\$ 2,121,574</b>	<b>\$ 2,015,281</b>	<b>\$ 1,725,307</b>

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

ATTACHMENT TO FORM 1023

PART IX - FINANCIAL DATA CONTINUED

SECTION B, LINE 8 -- ITEMIZED LIST OF DEPRECIABLE AND DEPLETABLE ASSETS

	<u>6/30/2012</u>
COMPUTERS	\$ 6,000
FURNITURE & EQUIPMENT	\$ 116,140
LEASEHOLDS	\$ 246,793
ACCUMULATED DEPRECIATION (SEE ITEMIZED LIST ATTACHED)	(356,780)
 TOTAL TO LINE 8	 <u>\$ 12,153</u>

SECTION B, LINE 15 -- OTHER LIABILITIES

	<u>6/30/2012</u>
DEFERRED REVENUE	\$ 63,378
ACCRUED EXPENSES	261,647
DUE TO STUDENT BODY	6,182
COMPENSATED ABSENCES	78,263
 TOTAL TO LINE 15	 <u>\$ 409,470</u>

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

FORM 1023 ATTACHMENT

SUPPLEMENTARY INFORMATION REGARDING ORGANIZATION AND  
ACTIVITIES

**STUDENT HANDBOOK & STUDENT APPLICATION**



## *Student/Parent Handbook*

2011 - 2012

Pencader Business & Finance Charter High School  
170 Lukens Drive  
River Edge Business Park  
New Castle, DE 19720

Telephone (302) 573-7760

Fax (302) 472-0796

*Dr. Ann E. Lewis: School Leader*

*Mrs. Amanda Fraser: Assistant School Leader*

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## **MISSION STATEMENT**

The Pencader Business & Finance Charter High School is committed to providing students in grades 9 – 12 an innovative and challenging academic atmosphere. Our school curriculum is a unique combination of academia and character education, as well as business and finance courses that will enable students to meet or exceed the Delaware Performance Requirements for graduation. Upon graduation, students will be equipped with the skills needed for employment in the business and finance industry and/or to pursue studies at a post secondary level. Business courses will focus on current and accepted business practices and modalities. They are designed to equip students with an awareness of the rapidly changing and increasingly interconnected world economy.

At Pencader Charter, we believe parental involvement is a cornerstone crucial to the success of the school. Parents are encouraged to visit the school and play an active part in their child's education. A collaborative effort between students, parents, staff, and administration is imperative to empower our students to be successful contributors in the business and finance world of today.

## **WELCOME**

*Dear Students and Parents,*

*Welcome to another year at Pencader Charter High School!*

*The Student Handbook is designed to provide you with the information about the policies and regulations that govern student life at Pencader Charter High School. All parents and students should review this book carefully and keep it for reference throughout the year. All students and parents should sign and return the enclosed signature document provided which verifies that a copy of this Handbook has been received and read.*

*On behalf of our faculty and staff, please allow me to welcome you to a new year at Pencader Charter High School. Our traditions of excellence in the education of young men and women of conscience, competence, and compassion are stronger than ever, and we are delighted to have you as a part of our community.*

*Our rules and regulations are governed by a mission that calls our young men and women to be leaders infused with values who, through their life, shape their future and the world of today and tomorrow as they work for justice and peace. We continue to emphasize, in all our endeavors, the themes of EXCELLENCE, HUMILITY, and INTEGRITY. Our students are called to reflect on these themes and to make them a part of their daily life at Pencader Charter.*

*Again, welcome to another year at Pencader Charter. On behalf of our entire faculty and staff, please know that I remain,*

*In your service,*

*Ann E. Lewis  
School Leader*

## Administration

*Ann E. Lewis*  
School Leader  
[ann.lewis@pcs.k12.de.us](mailto:ann.lewis@pcs.k12.de.us)

*Amanda Fraser*  
Assistant School Leader  
[amanda.fraser@pcs.k12.de.us](mailto:amanda.fraser@pcs.k12.de.us)

## Development – Co-op

*Ray Arzinger*  
Development Director  
Co-op  
[ray.arzinger@pcs.k12.de.us](mailto:ray.arzinger@pcs.k12.de.us)

## Guidance

*Angela Hurd*  
Guidance Counselor  
[angela.hurd@pcs.k12.de.us](mailto:angela.hurd@pcs.k12.de.us)

## Department Chairs

Business	<i>Robert Schumacher</i> <a href="mailto:robert.schumacher@pcs.k12.de.us">robert.schumacher@pcs.k12.de.us</a>
Electives	<i>Cathy Riggs</i>
World Languages	<a href="mailto:catherine.riggs@pcs.k12.de.us">catherine.riggs@pcs.k12.de.us</a>
English:	<i>Tammie Sylvia</i> <a href="mailto:tammie.sylvia@pcs.k12.de.us">tammie.sylvia@pcs.k12.de.us</a>
Mathematics:	<i>Kelly Quinn</i> <a href="mailto:kelly.quinn@pcs.k12.de.us">kelly.quinn@pcs.k12.de.us</a>
Science:	<i>Kate Frysinger</i> <a href="mailto:kate.frysinger@pcs.k12.de.us">kate.frysinger@pcs.k12.de.us</a>
Social Studies:	<i>Steve Quimby</i> <a href="mailto:steve.quimby@pcs.k12.de.us">steve.quimby@pcs.k12.de.us</a>

## Administrative Support Staff

*Deborah Delle Donne* – Receptionist  
[deborah.delledonne@pcs.k12.de.us](mailto:deborah.delledonne@pcs.k12.de.us)

*Joleen Squillace* – Administrative Assistant  
[joleen.squillace@pcs.k12.de.us](mailto:joleen.squillace@pcs.k12.de.us)

*Rachel Taylor* – Administrative Assistant

rachel.taylor@pcs.k12.de.us

## Pencader Charter High School Board

*Mrs. Harrie Ellen Minnehan*  
*Board President*  
[minnehanh@comcast.net](mailto:minnehanh@comcast.net)

*TBD*  
*Vice President*

*Shawn Klapinsky, CPA*  
*Treasurer*  
[sklapinskycpa@gmail.com](mailto:sklapinskycpa@gmail.com)

*Dr. Abraham Jones*  
*Parent Representative*  
[abraham.jones@comcast.net](mailto:abraham.jones@comcast.net)

*Ray Arzinger*  
*Development Coordinator*  
[ray.arzinger@pcs.k12.de.us](mailto:ray.arzinger@pcs.k12.de.us)

*Dr. Daniel Freeman*  
*Community Representative*  
[freemamd@udel.edu](mailto:freemamd@udel.edu)

*Kelly Quinn*  
*Teacher Representative*  
[kelly.quinn@pcs.k12.de.us](mailto:kelly.quinn@pcs.k12.de.us)

*Steven Quimby*  
*Teacher Representative*  
[steve.quimby@pcs.k12.de.us](mailto:steve.quimby@pcs.k12.de.us)

## NON-DISCRIMINATION POLICY

Pencader Charter High School is an equal opportunity educational institution and does not discriminate, or permit its employees to discriminate, based on race, religion, color, national origin, sex, marital status, political affiliation, age, or handicap in its actions, programs, or employment practices.

Information regarding civil rights or specific grievance procedures contact:

### **Americans with Disabilities Act (ADA)**

Section 504

Contact Helen Swartz, Director of Special Programs/Services, PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL, 170 Lukens Drive, New Castle, DE 19720, Telephone (302) 472-0794.

### **Title VI**

Contact the School Leader, Ann E. Lewis, PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL, 170 Lukens Drive, New Castle, DE 19720, Telephone (302) 472-0794.

### **Title IX**

Contact Athletic Director, Brett Townsend, PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL, 170 Lukens Drive, New Castle, DE 19720, Telephone (302) 472-0794.

### **Asbestos Notification**

The Code of Federal Register final rule (40 CFR 763), established in 1987 required an AHERA (Asbestos Hazardous Emergency Response Act) Management Plan to be developed with an initial asbestos inspection inclusive of bulk sampling analysis of suspected asbestos materials located within the interior. The exempt materials are inclusive of but not limited to exterior components of the building. Every three years a re-inspection is to be performed on the ACM following the initial inspection. All records are filed and maintained at Pencader Charter High School.

The results of the required bulk sampling performed by Harvard Environmental Inc. determined that no asbestos was detected on any of the specific materials subject to AHERA inspections. The management plan was completed by Harvard on 3/31/08 and is available for review upon request.

## POLICIES AND PROCEDURES

### ACADEMICS

#### Grading Policy

Grade calculation is on the numerical scale 0 - 100:

93 – 100	A	77 – 84	C
85 – 92	B	70 – 76	D
69 and Below	F		

In the event of unsatisfactory progress, teachers will make every attempt possible to contact the parent/guardian personally and/or in writing to discuss the situation and to propose corrective action.

#### Course Placement

##### **Incoming 9th Graders: Consideration for Honor's Placement**

- Request for Honor's Placement
- Teacher Referral & Checklist
- 85% average or above
- Review Committee
- Placement Testing (Mathematics, Writing)

##### **CP to Honor's: Within the Same School Year**

- Request for a move from CP to an Honor's Class
- Course GPA of 85% or higher in current course
- Teacher Referral
- An appropriate available Honor's Class
- Review Committee

##### **CP to Honor's: Current to Next School Year**

- Request for a move from CP to an Honor's Class
- Course GPA of 85% or higher in current course
- Teacher Referral
- Review Committee

##### **Continuation in an Honor's Course**

- Teacher Referral
- Course GPA: 85% or Above
- Review Committee

##### **AP Courses – Juniors and Seniors**

###### **Sophomores – AP Courses Junior Year**

- PSAT Scores
- GPA of 90%\* or higher in pre-requisite Honor's Class
- Teacher Referral
- Review Committee

###### **Juniors – AP Courses Senior Year**

- PSAT Scores
- Passing Score on previous AP Exam(s)
- GPA of 90% \*or higher in pre-requisite Honor's Class
- Teacher Referral
- Review Committee

\*Students scoring lower than 90% but above 84% in an honor's, and who meet all other requirements, may still be considered for AP courses depending on seat availability.

#### **Review Committee (*Final approval for all requests rest with the Review Committee*)**

This committee will consist of each of the following:

- A representative from the content area for which a student is applying for AP course admission.

- Guidance Counselor(s)
- Curriculum & Instruction

### Advanced Placement Courses

Advanced Placement (AP) courses follow the curriculum established and approved by The College Board. AP courses allow students the opportunity to demonstrate college-level achievement. Advanced Placement exams are national tests graded on a scale of 1 to 5 with 5 being the highest possible grade. Many colleges and universities will permit students who have received a score of 3 or above to waive certain introductory courses and to apply those credits toward their degrees. Students are encouraged to check with their choice of college for specific requirements. Please see placement requirements.

Due to the rigor of the AP program, students may not register for more than three AP courses in one school year unless they obtain a waiver from the School Leader or Assistant School Leader. *All AP students are required to take the AP exam. Payment for all AP exams must be made during the first six weeks of the course in order for the student to continue in the course. Refusal or non-payment of AP exam fees will require student removal from any AP course for which fees remain unpaid.* The AP program provides two (2) credits for each course inclusive of weighted GPAs.

#### **AP Course Fee Structure**

<b>1 Course:</b>	<b>\$110</b>
<b>2 Courses:</b>	<b>\$210</b>
<b>3 Courses:</b>	<b>\$310</b>

### Credits and Graduation Requirements

Upon successful completion of a course, students will receive credit. There is no partial credit for partial completion of any course. Freshman, sophomores, and juniors must enroll in a total of nine (9) credits per year. Seniors must enroll in a minimum of (9) credits, which can include Cooperative Education, but *not* to include the Senior Research Project. Students not meeting course requirements or making progress on the DCAS will not be promoted to the next grade.

### Plan for Promotion and Retention

A student must earn a minimum of seven (7) credits in order to be promoted to the next grade level. However, those credits must be from courses that are required to stay on track for graduation. A student must complete a minimum of thirty credits in the following required areas to be considered for graduation:

• English	4.0	(Grades 9 – 12)
• Mathematics	4.0	(Grades 9 – 12) (a math course must be taken in the senior year)
• Science	4.0	(Grades 9 – 12)
• Social Science	4.0	(Grades 9 – 12)
• Business Pathway	3.0	(Grade 9 - 11) (Must Complete Level 3 of any Pathway)
• Business Capstone	1.0	(Grade 12)
• Health	0.5	(Semester 1 – Grade 9)
• Physical Ed	1.0	(Semester 2 – Grade 9)
• World Language	2.0	(Grades 9 – 12)
• Freshman Seminar	1.0	(Grade 9)
• Electives	5.5	(Grades 9 – 12)

**TOTAL 30**



### Homework Policy

Homework is an integral part of the learning process. Students must take homework assignments seriously and put forth consistent effort to complete assignments in a timely manner, to the best of their ability. Students are held accountable for homework. Parents/guardians also must take an active role in supervising students, ensuring that students have a setting conducive to study, and encouraging students and showing genuine interest in their progress.

### **ATTENDANCE**

Delaware State Law, which pertains to compulsory attendance, requires regular attendance for the school-age child. Pencader Charter High School requires regular and consistent attendance for all students who are enrolled in the school's programs.

The schools (and the State of Delaware) recognize the following legal and necessary absences:

- Illness of the child, attested to by a physician if necessary;
- The presence of contagious disease in the child's home;
- Death in the immediate family or in the home of the grandparents. Excused time will not exceed one week. Excused time allowed for funerals of other relatives will not exceed one day. Additional time may be allowed when ceremonies are held at long distances from the student's home;
- Legal business relating to or involving the student;
- Health treatment (including student pregnancy);
- Prearranged absence to visit a college or university and/or to participate in other educational experiences;
- Emergency situations as determined by the School Leader or Administrative Designee of the School Leader; and
- Religious holidays

No absences are permitted during state testing or semester exams unless approved in advance by the School Leader.

Written documentation from an adult is required for any absence or tardy.

The methods of determining excused absences or tardiness will include but not be limited to the following:

- Doctor's note for sickness;
- Dentist's note for treatment;
- Telephone call by parents/guardians in an emergency; and
- Parent's/guardian's signed note.

All unexcused absences receive no credit for the day's work. Any student who has an excused absence from school can make up class work and assignments missed *if and only if* work is requested by the student from his/her teacher within two school days of the student's return. The time that is permitted to complete makeup work will be a reasonable period as determined by the teacher and student. The student's grade will reflect any failure to comply.

#### *Absence from school:*

Full day attendance will be given only to those who enter school before Block 2. Entry after Block 2 but before Block 3 will result in one half-day absence. Entry after the conclusion of Block 3 will result in a full day of absence.

#### *Absence from class:*

Students are *absent* from class *any time* that they are not physically present during class time. This would include all activities that would allow the student to be counted present for the school day but also allow

the student to be places other than the classroom (e.g. field trips, meetings, trips to the office, conferences, etc.).

*Excused absence:*

An excused absence is an absence covered by the eight necessary and legal absences defined by the Board and in compliance with State Law and validated by proper documentation.

*Students absent from school may not participate in any after school activities on the day of absence.*

Procedures:

- Students are expected to come to school on time every day and to remain the entire day;
- Excused absences are per School Policy as listed above;
- Each student will be issued an excuse slip after an absence;
- A grace period of one day will be given to returning students who do not produce an excuse slip. Failure to produce the slip after that time will result in an unexcused absence;
- Parents are asked to call the school if there is any doubt as to the validity of an absence; and
- Students are not permitted to leave school grounds during the school day without permission from the School Leader or Administrative Designee.

Students who do not report to school and have no valid reason, will be considered truant.

## ATTENDANCE RECORDS

The School Leader or designee will keep a daily record of attendance to include absences and tardiness of all pupils. Each student's attendance will be recorded daily in compliance with State regulations.

Upon accumulating three (3) absences (excused or otherwise) within one semester, the school office will notify the parent by letter.

Upon accumulating five (5) absences, the school will contact parents. A truancy notice may be sent to the students' parent or guardian. The contact will determine the cause of the students' excessive absence and evaluate the student's need for homebound instruction (if the ten absences are consecutive) or other alternative instructional services. Further absences will require a physician's excuse. Failure to produce such documentation when requested will result in unexcused absences being recorded.

Upon accumulating seven (7) absences, the School Leader and guidance counselor will make a formal determination whether to refer the student and parents to the legal system, Pencader Charter High School Board of Directors, or other appropriate agency. Truancy notices may be sent to parents.

When (10) absences have been recorded, charges of truancy will be filed in Magistrate Court for all unexcused absences.

**When 13 absences from school have been recorded, a referral to Child Protective Services may be made. The student also cannot be awarded credit for the current school year in any class for which they have accumulated 13 or more absences, absent documented medical condition causing the absences.**

The School Leader, in cases of severe family hardship or student illness, may make exceptions to Pencader Charter High School attendance policy.

## BOOK-BAG/PURSE POLICY

Pencader Business and Finance Charter High School presumes a student possesses and is responsible for all items in a student's book bag, purse, locker, or similar bag or container used to carry books or personal property.

Students have the right to privacy to their personal possessions, unless the School Leader or Designee has a reasonable suspicion of a student's possession of alcohol, drugs, drug like substance, drug paraphernalia or of a student's unauthorized possessions of the following items: A weapon, Stolen Property, or dangerous instruments in the school environment.

Students have the responsibility: Not to carry, conceal or possess any materials that are illegal, disruptive, dangerous, or offensive to others.

**All students are permitted to carry book bags, or purses throughout the school day. No book bags with cartoon characters or obscene wording on them is permitted.**

**Book Bags are subject to search under the following conditions:**

- 1) Pencader Business and Finance Charter High School staff member has reasonable suspicion that a search should be made for the welfare of the student and/or school;
- 2) Upon presentation of a warrant; and
- 3) With the permission of the student after he/she has been appraised of constitutional rights.

## BUS POLICY

While transferring students to and from school or to school sponsored activities, safety is the number one concern. Safety requires the cooperation of students, parent/guardian, and Pencader Charter Staff members. Parents/Guardians should review and discuss the Responsible Classroom Management Plan (RCM)-- Student Handbook as it pertains to Buses (Expected Behaviors in Special Areas of the school – 5.5, Pg. 7) with their children in efforts to make the school bus environment as safe and responsible as possible.

## DRESS CODE

Research shows that students have a better attention span and do better in school when they are neatly dressed, not distracted by personal appearance. This creates an atmosphere for serious learning. Although the school will administer discipline for violations of the dress code, the ultimate responsibility for ensuring that students comply with the dress code lies with parents/guardians. Each parent/guardian is responsible for purchasing the correct items of clothing to enable each child to arrive at school in the proper uniform on a daily basis. *By enrolling a child at Pencader Charter High School, parents/guardians agree to support the dress code and ensure that children are dressed appropriately.*

Exceptions to the policy for health reasons will be considered by the school administration with proper verification from a doctor and the parent/guardian.

Exceptions to the policy for religious reasons will be considered by the school administration with proper verification from a religious leader and the parent/guardian.

Students are expected to dress in the school uniform as follows:

\*Clothing must fit comfortably and not be tight or baggy.

\*Students must enter the building everyday in dress code and remain in dress code while in the building, with no exceptions. Males must have shirts tucked in with the exception of spirit wear (only on Fridays and other days specifically designed (hoodies, & sweaters do not need to be tucked in). \*For

physical education (gym), students will wear the Pencader physical education uniform available at Rush Uniform.

***All Pencader Wear must be purchased and fitted through Rush Uniform -- no exceptions.***

Rush Uniform Inc.

101 Harrison Avenue, New Castle, DE 19720-2597

(302) 328-5444

Store hours: Monday through Friday 10:00 am – 5:00 pm

Saturday 10:00 am to 1:00 pm.

The following options are available:

- Black, Khaki colored, or Pencader Plaid shorts/skorts;
    - These may be worn from the 1<sup>st</sup> day of school until October 15<sup>th</sup> and after March 20<sup>th</sup>;
    - Skorts and shorts may not be altered in length.
  - Black, Khaki colored, or Pencader Plaid skirt;
    - Skirts may not be more than 2 inches above the knee.
    - When wearing skirts, skorts, or shorts, ankle/knee socks or tights must be solid colored red, white, or black. Students are not permitted to wear leg warmers, printed patterns, or leggings.
  - Black or Khaki, colored slacks;
  - Short or long sleeve polo – red, white, or black with logo;
  - Long/short sleeve oxford – white w/logo;
  - Red, white, or black sweater vest w/ logo;
  - Red, white, or black long sleeved sweater w/logo;
  - Red, white, or black cardigan sweater w/logo;
  - Red or black fleece jacket w/logo (1/2 or full zipper style)
    - An approved uniform shirt must be worn underneath any style uniform sweater, vest, or fleece.
    - Cargo pants, cargo shorts.
    - No flip flops, Uggs, no foot coverings containing fuzzy linings inside or out,
    - No 'skinny', ripped, or otherwise tattered jeans on designated jean's days.
- ***No cargo pants/shorts are permitted***

**Belts**

- Must be either ***plain*** brown or black leather and are required when wearing uniform slacks. *No studs, or other items are permitted and belt buckles must be appropriate for business attire.*

**Shoes**

- Flat-soled dress shoes or athletic shoes may be worn all year round, but they cannot be tattered.
  - Footwear should be secured on the foot (laces tied, Velcro fastened). Sandals, flip flops, open back shoes, light up shoes, crocs, moccasins, mismatched, and heeley shoes (shoes with wheels) are not permitted.
- No Boots are permitted. If boots are worn to school due to weather, they must be removed and replaced with appropriate footwear, and the boots ***must be*** placed in students' lockers until the end of the school day.

**Gym uniform**

- New gym uniforms must be purchased through Rush Uniforms
- Current approved gym uniforms are acceptable. Replacement gym uniforms must be purchased through Rush Uniforms.

**Students out of dress code will be subject to the Responsible Classroom Management Plan - Consequences for breaking expected behavior 1.3. These consequences include, but are not limited to:**

- Student will be asked to change into appropriate clothing

- Parent/Guardian will be contacted to bring in appropriate clothing while the student waits in appropriate area
- Student will be sent home
- Parent notification/conference
- Referral to the Discipline Review Committee

#### **Hats/Coats:**

- No hats are permitted in the school at any time;
- Coats and jackets are to be kept in each student's locker and are not permitted in classrooms, hallways, and/or the cafeteria.

#### **Hair/Makeup/Accessories:**

- No gothic or excessive makeup;
- No contact lenses that obscure the eye;
- No rings, shoes, necklaces, or other accessories that glow or light-up;
- No necklaces may be worn outside or over any shirt, vest, sweater, or Pencader Spirit Wear;
- No hanging belts or chains; and
- No sunglasses (unless a doctor's note is provided).

#### **PCHS Spirit Fridays**

Each Friday Pencader students may wear any Pencader Spirit Wear with approved slacks, skirts, and/or skorts. Spirit Wear must be purchased directly from the PCHS School Store or through a Pencader athletic team. (Rush Uniform is the supplier for the PCHS School Store and PCHS Athletic Teams) Students are expected in to be in dress code otherwise.

**\*Student's overall appearance including accessories/hair/makeup should be consistent with a professional business environment and productive learning atmosphere. Whether or not a student's overall appearance is not conducive to a professional business environment and productive learning atmosphere is at the discretion of school administration.**

#### **DRIVING/PARKING**

- Students driving to school must complete the Student Parking Permit Application available in the main office;
- Driving to school and parking on school property is a privilege, which may be denied; and
- Students who are issued parking permits accept the responsibility of adhering to school policies and safe driving practices.

#### **PARKING PERMITS**

To obtain a Parking Permit the following items must be present when applying:

- Student Parking Permit Application;
- Valid Delaware Driver's License;
- Proof of current Liability Insurance for each Vehicle Registering; and
- Registration Fee - \$50.

#### **PARKING RULES**

1. Pencader High School reserves the right to revoke parking permits at any time without refund if a student fails to comply with any school policies (parking, discipline, attendance, academic, etc).
2. Parking permits are the property of Pencader Charter High School and cannot be duplicated or altered in any way.
3. Lost or stolen permits are the responsibility of the student. Replacements permits will be issued for an additional \$50 registration fee.
4. Permits are non-transferable and must be returned to the office if a student withdraws or transfers.

5. Parking permits are not considered valid unless they are hung from the rear view mirror with
6. The printed information must be completely visible, no other passes or sunshields may block.
7. Parking in any location other than a designated student parking stall is prohibited (ex. Staff spaces, "No Parking" zones, handicapped spaces, red curbs, visitor spots, fire lanes, etc.)
8. Buying a parking permit does not guarantee you the same spot daily, no spots are reserved.
9. Speeding or reckless driving is prohibited and may result in loss of parking permit. Pencader Charter High School is not responsible for the vehicle or its contents, and advises students to leave cars locked at all times.
10. The parking lot is a restricted area. Once parked, students should proceed immediately to the school, there is to be no loitering or visitation in the parking lot.
11. Tardiness resulting from not being able to find a parking space will not be excusable.
12. Authorized personnel who have reason to believe a search is necessary for the health, safety, and protection of the students and the orderly conduct of the school may search any vehicle brought onto school property.
13. All Delaware Vehicle codes apply in the school parking lots.
14. Failure to adhere to the above conditions places your vehicle subject to a revocation of your parking Permit, and other discipline consequences assigned by Pencader Charter High School Administration.

### **EARLY DISMISSALS**

All early dismissals will require a written request from the parent or guardian, *even if the student is 18 years of age or older*. Requests will not be granted over the telephone. If the student is under the age of 18 years, a parent/guardian must come to the office to sign the student out for early dismissal. In an emergency, persons having legal custody of the student may present themselves at the school office to sign the student out for early dismissal. Early dismissal requests should be brought in on the day of the appointment. Dental and medical appointments should be made after school hours, but concessions can be made if appointments must fall during regular school hours. Children should return to school following such appointments if there is school time remaining in the day. Any early dismissal that is longer than two hours will result in one-half day or one day absence in accordance with the dismissal or absence.

### **LOCKERS**

Students will have the opportunity to use a locker for their personal belongings and books. *A lock must be used by any student(s) who choose to use a locker.*

Pencader assumes that a student possesses, and is responsible for, all items found in the student's locker. Regularly check the contents of your locker. If you fail to lock your locker, or provide others access to your locker, you remain responsible for items found in your locker.

**The following rules must be adhered to by students using a locker.**

1. Students are only permitted to use the locker that they have been assigned;
2. Lockers are subject to search. (See school rules on searches); and
3. Students are not to loiter by the lockers.

*Pencader Business and Finance Charter High School is not responsible for student property that is lost, stolen, or damaged on school property or at school-sponsored events.*

### **LUNCH / CAFETERIA**

During the lunch block, students must be in the cafeteria or other space designated by the school for use during lunch. Responsible Classroom Management Plan – Student Handbook as it pertains to Cafeteria (Expected Behaviors in Special Areas of the school – 5.1, Pg. 7)

### **PERSONAL ELECTRONIC DEVICES**

The use or display of any of the following on school premises during school hours is strictly prohibited and will be confiscated: Responsible Classroom Management Plan – Student Handbook as it pertains to Guideline 1 – 1.8, Pg. 6)

- Cellular phones;
- Pagers;
- Laser Pointers;
- Radios/Walkmans/iPods/Music playing devices of any kind; and
- Blackberries/PDAs of any type.

Other materials designated by building staff as disruptive or having the potential for causing disruption.

### **POSTERS/SIGNS**

The School Leader or Designee must approve all posters and other written material for display purposes. Groups or individuals may not circulate written material to the students without approval in advance.

### **PUBLICATIONS**

Official school publications such as newspaper or yearbook should reflect the policy and judgment of the advisor and student editors. Any publications should include viewpoints representative of the entire school community. The School Leader and/or designee may exercise editorial control over the treatment of sensitive or controversial issues and will suppress and recall literature that could disrupt the orderly operation of school.

Students have the right to:

- possess, post and distribute literature which will not disrupt the school program and which adheres to school guidelines; and
- be free from their censorships of their publications apart from the limitations imposed from the school guidelines.

Students have the responsibility to:

- use only the bulletin boards or wall areas assigned for use; and
- refrain from publishing libelous and obscene materials; to approve full information on the topics about which they write; to observe acceptable standards of good taste.

### **RELEASE OF STUDENT INFORMATION**

Interim Reports and Report Cards will be delivered to students. Standardized test scores and other correspondence regarding the child or the school will be sent *only* to the parent/guardian with whom the child primarily resides. The parent/guardian has the right to set up an appointment to come into the school for reviewing the child's permanent record, unless there is a court order in the child's folder that is contradictory to this practice. In addition, all formal documentation will reflect the name of the child indicated on the birth certificate. Name changes will only be granted with appropriate court documentation.

### **ROLLERBLADES, SKATEBOARDS, AND SCOOTERS**

Students are not permitted to use skateboards, scooters or rollerblades on school property at any time. If they are used as a means of transportation for the student to get to school, they must be stored in the student's locker.

### **TELEPHONES AND MESSAGES**

- We cannot routinely deliver personal messages and to students, and we cannot call students to the telephone. Please make all arrangements at home before school. Exceptions will be made for emergencies.
- Teachers are not to be contacted during the school day. All parent/teacher meetings will take place after the school day. The earliest a parent teacher meeting can be scheduled is at 3:15 pm.

### **SCHOOL VISITORS**

- 1) Parents/guardians and prospective students and their families are always welcome to visit the school;
- 2) If parents/guardians wish to meet with the School Leader/Administrator or Teacher, they must make an appointment; and
- 3) For the protection of the student body, all visitors must sign in at the main office upon entering the building and are not permitted to walk around the building without a staff escort.
- 4) All visitors must sign in at the Main Office and obtain a Visitor's Pass.

## VIOLATIONS OF CONDUCT RULES

The code defines specific acts that constitute violations of expected student behavior. These violations are examples of those acts, which disrupt the school environment and the instructional process or demonstrate that the student presents a threat to the safety and welfare of other students and staff.

The purpose of this section is to provide school personnel, parents, and students with a clear understanding of these violations and the resulting range of disciplinary actions. It is anticipated that student familiarity with the violations and disciplinary measures will encourage positive behavior.

The code permits the School Leader or Designee to select from a list of recommended and optional actions for certain violations. In such cases, the severity and frequency of the misbehavior shall be considered in selecting appropriate disciplinary actions. Specific disciplinary actions are required for other violations.

The School Leader or Designee shall conduct a reasonable investigation to decide whether the charged offense has in fact occurred and to establish facts, which may influence the selection of disciplinary action.

### DISCIPLINE POLICY – Type “A” Behaviors

The opportunity for education is the right of all students in our school, but education is a privilege gained only by those responsible students whose behavior and attitudes enable them to derive the most from their school years. The purpose of any disciplinary measure should be to modify or change behavior rather than to serve as punishment. In order to attempt to modify behavior, the unacceptable behavior must be identified and communicated with the parties involved. The goal of Pencader Charter is for each student to receive a serious education.

*Any student who behaves inappropriately resulting in either a detention and/or suspension, will not be permitted to attend any school function, including, but not limited to: field trips, sporting events, or other designated activities, if the student's infraction occurs within one (1) week of said events. (Athletes, that includes practice and games)*

The following procedures ensure that each student receives fair and equal treatment:

- 1) Every student must have prior knowledge of the conduct required of or prohibited to him/her.
- 2) He/she must be aware of specific matters giving rise to any proposed discipline.
- 3) He/she will have an opportunity to express to the decision-making authority, his/her views or rebuttal regarding the incident, including the opportunity to place a written response in the student's file together with the any incident report placed in the student's file.
- 4) The decision-making authority must base its decision on the incident or matters about which the student has been apprised as indicated above.

### Parent Notification

Parents/guardians will be informed of the incident as soon as decisions regarding the appropriate response to the incident have been made by the School Leader or Designee. The parent or guardian will be notified by phone, letter, or other written notification.

### Student Grievance

Grievance is another name for a complaint. A student grievance may be presented when a student or the student's parent/guardian believes that the student has been treated unfairly.

A student or a student's parent(s)/guardian(s) may present a grievance. A grievance may involve the treatment of a student or relate to the treatment of a group of students. A person may not file a grievance about a situation in which he/she has no personal involvement.

### **Student Grievance Procedure**

When the grievance procedure is used, the following steps shall be pursued in the sequence set forth below, except where otherwise noted:

#### *Level 1*

The grievant, whenever possible, shall request a conference with the teacher or person(s) who allegedly treated the student unfairly.

#### *Level 2*

If the conference does not resolve the complaint, the grievant may talk with the guidance counselor about resolving the complaint.

#### *Level 3*

If the conferences fail to resolve the complaint, the grievant may file a written grievance with the School Leader.

#### *Level 4*

The School Leader, or his/her designee, shall schedule a conference to hear the grievance no later than five (5) school days following receipt of the notice of appeal and shall render a decision, in writing, no later than five (5) school days after the grievance conference. The decision of the School Leader is subject to review by the Board of Directors.

It is understood that there are occasional sensitive situations where discussions may begin with level 2 or 3 of this process.

If the student's grievance is with the School Leader, this process may begin with contact with the Board of Directors.

### **Detention**

Detention is held on a daily basis in the cafeteria. The detention period begins at 3:00 pm and ends at 4:50 pm.

Prior to detention being assigned, a student shall be given oral or written notice of the charges and be given an opportunity to tell his/her side of the story.

Students' assigned detention shall report to the cafeteria. Students who refuse to serve the assigned detention time or fail to show for an assigned detention shall be assigned an extra detention and the original detention will be reassigned.

### **Suspension – Out of School**

Prior to a suspension out of school, a student shall be given oral or written notice of the charges and be given an opportunity to tell his/her side of the story.

Generally, the notice and hearing should precede the student's removal from school.

Notification shall state the cause and duration of the suspension. In all events, an attempt shall be made to notify the parents/guardians by telephone. Students whose parents/guardians cannot be reached by telephone will be retained at school until the end of the school day. However, if this is not feasible or if the immediate removal of the student from school is necessary to protect the safety of individuals, property, or the integrity of the educational process, the necessary notice and hearing will follow as soon as possible.

In the case of students with disabilities (as defined in the Individuals with Disabilities Education Act) all of the above procedures do apply with additional considerations as follows:

- A suspension from school for more than ten days, either consecutively or cumulatively, is considered a change of placement if the conduct is related to the student's disability. The IEP Team will determine the relationship between the conduct and the student's disability; and
- Parents/guardians must conference with the School Leader or his/her designee regarding the violations that lead to the student's suspension.

### **Expulsion**

When a student commits a Type "A" Behavior that may result in a recommendation for expulsion, the following procedure shall be followed:

#### *STEP I*

The student shall be suspended for up to ten (10) days.

The School Leader shall investigate all aspects of the discipline problem, including a conference with the student and his/her parents or guardians if possible, at which time the student will be informed of the charges and afforded an opportunity to tell his/her side of the story. If possible, this conference shall be held prior to the student's suspension.

The School Leader shall normally complete the investigation within three school days of the incident under investigation.

If after the investigation, the School Leader concludes that the student committed the offense and that the nature of the offense warrants a recommendation for the expulsion, the School Leader shall make such a recommendation in writing to the Board of Directors. The recommendation must be accompanied by a summary of the School Leader's investigation.

#### *STEP II*

Within seven (7) school days from the first date of suspension for the incident giving rise to the expulsion recommendation, notify the student and the student's parents or guardians of intent to expel and of the date, time, and location for a formal hearing on the recommendation for expulsion. The notice of intent to expel shall be sent by certified mail or hand delivered and shall state the reasons for the expulsion and the time and place of the hearing.

In addition, the notice shall be accompanied by a copy of the rules of procedure for the conduct of disciplinary hearings.

The formal hearing shall be held not less than three (3), nor more than ten (10) school days after the notice of intent to expel is given. The time period may be modified by agreement of both parties.

The formal hearing shall be conducted by the Board of Directors.

The Board shall have full authority to control the conduct of the hearing, including authority to admit or exclude evidence.

The Board in conducting the hearing shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure. The Board shall exclude plainly irrelevant evidence. Unduly repetitive proof shall be excluded.

The Board's Secretary shall swear in the witnesses.

The student shall have the following rights:

- To be represented by counsel, at the student's expense;
- To question any witnesses who testify and receive a copy of any written statements and/or affidavits made by such witnesses;
- To request that any witness appear in person and answer questions or is cross-examined. Student witnesses will not be excused from school or allowed to testify without subpoena or parent(s)/guardian(s) permission;
- To testify and produce witnesses on his/her behalf;
- To obtain upon written request, a copy of the transcript or tape of the Board hearing.

### *STEP III*

Within ten (10) calendar days following the hearing, the Board shall decide whether to expel the student following a review of the evidence produced at the hearing. The Board's decision shall state conclusions of fact and the penalty to be imposed upon the student.

The duration of an expulsion is within the discretion of the Board based upon the circumstances of each case. An expulsion shall not exceed one calendar year, or 180 school days.

### *STEP IV*

The parents/guardians of a student who is expelled shall be informed that they may apply for the student's readmission at the end of the period of expulsion and must provide verification that all conditions for readmission have been met.

The student and family will be given exit advice on the educational options and rehabilitative counseling that may be available during the expulsion period.

Upon readmission to school, the student will be placed on probation. The student will be formally assigned to a student advisor, who will monitor his/her behavior and academic performance, and provide assistance for a period of at least one semester.

A student is prohibited from being on Pencader Charter High School property during the expulsion period except when accompanied by a parent or guardian for a scheduled appointment with school officials.

Upon readmission, a student shall be readmitted at the beginning of a marking period.

### **Expulsion and Suspension of Students with Disabilities**

In the case of a student with a disability, as defined in federal and state regulations, being considered for expulsion, an Individual Educational Placement (IEP) Team meeting would be convened.

The IEP Team will determine whether (1) the alleged conduct is directly related to the student's disability or (2) the student was inappropriately placed at the time of the offense. A student with a disability conduct relates to the disability if the disability significantly impaired the student's ability to control his/her behavior.

If the IEP Team determines that the offense is directly related to the student's disability, the student's program and/or placement may be changed.

If the IEP Team determines that the offense is not directly related to the student's disability or the result of placement, the School Leader will follow the Student Code of Conduct.

In instances where the student with a disability presents a danger to himself or others, or is so disruptive to the educational environment as to interfere with the rights of other students to benefit from an education, emergency placements may be invoked by the School, including homebound instruction.

### **Corporal Punishment**

No Pencader Charter High School employee may inflict or cause to be inflicted corporal punishment on a pupil. For purposes of this policy section, corporal punishment means the willfully infliction of, willfully causing the infliction of, or willfully allowing the infliction of physical pain on a pupil. Corporal punishment includes, but is not limited to, the use of a paddle or stick on a pupil, blows to the head, hair pulling, limb twisting, slapping, shoving, or any other action that seeks to induce bodily pain.

This subsection of the discipline policy does not prohibit an official or professional employee of the Pencader Charter High School from:

- Using reasonable and necessary physical contact to quell a disturbance or prevent an act that threatens physical injury to any other person;
- Using reasonable and necessary physical contact to obtain possession of a weapon, other dangerous object controlled substance, or drug paraphernalia within a pupil's control;
- Using reasonable and necessary physical contact for the purpose of self-defense or the defense of others;
- Using reasonable and necessary physical contact for the purpose of protecting public school property;
- Using reasonable and necessary physical contact for the purpose of removing a disruptive pupil from school premises or motor vehicle or from school-sponsored activities;
- Using reasonable and necessary physical contact to prevent a pupil from inflicting harm on himself or herself;
- Using reasonable and necessary physical contact to protect the safety of others; and
- Using incidental, minor, or reasonable physical contact to maintain order and control.

**The School Board of Directors, or a designated committee thereof, shall exercise their good faith judgment in determining whether an employee was acting within the above exceptions.**

### **DEFINITIONS OF VIOLATIONS**

This list is not all-inclusive. A student committing an act of misconduct, which is not listed, may be subject to disciplinary action. If a student commits an act that constitutes a crime under Delaware law, such a student is subject to discipline, which may include expulsion in an appropriate case. Criminal activity outside the school environment can also be cause for disciplinary action by the school against a student, if the behavior reasonably could pose a threat to the orderly functioning of the educational process or a danger to the health, safety, and welfare of other students, employees, or school property.

Disciplinary action that will be taken in response to each violation is identified in the charts that follow these Definitions.

### **Academic Dishonesty**

*The act or instance of deception in preparing or presenting course work or class assignments as a student's own authentic work when it is not.*

This includes, but is not limited to:

- Providing a partially completed or completed paper, project, assignments, and/or other tasks/documents to another student;
- Copying another student's paper;

- Unauthorized use of notes or sharing answers during a test, examination, assignment, project, or other assignments;
- Presenting another person's work as one's own; and
- Presenting quotations, words or ideas without proper reference or credit (plagiarism).

#### **Penalty**

- Assignment will receive no credit
- Parent/Guardian Notification
- A minimum of 3 day's detention

#### **Abusive Language/Gestures (student to student)**

Written or spoken language or gestures that are offensive, obscene or vulgar.

#### **Abusive Language/Gestures (directed to staff or administrators)**

Written or spoken language or gestures that are offensive, obscene or vulgar, when directed at teachers, staff, or administrators of the School, Board of Directors, or Department of Education.

#### **Arson**

Any act utilizing fire, smoke or explosives that causes alarm or danger to life; and/or willful or malicious burning of school property, its contents or the personal property of others.

#### **Assault**

An unlawful physical attack using force upon a person intending to cause, or resulting in, physical injury.

#### **Breaking and Entering**

Illegal or unauthorized entry of any locked area of the school during or after school; e.g., rooms, classrooms, auditorium, gym, shops, offices, lockers or cabinets, etc.

#### **Bullying**

One or more persons or a group of persons, targets another person with repeated direct or indirect negative actions over a period of time that are harmful to the victim either emotionally or physically. A negative action occurs when a person knowingly or unknowingly inflicts, or attempts to inflict, physical or emotional injury or discomfort upon another person.

#### **Conspiracy**

When two (2) or more students agree to intentionally lie, mislead, plan and carry out inappropriate behavior or give false information to hinder an investigation of another offense.

#### **Criminal Mischief**

The destruction or serious defacing of school property or the property of others.

#### **Drug or Alcohol Sale or Distribution**

Sale, transfer or distribution in school or on school property of drugs, alcohol or "look-alike" substances. Possession of excessive amounts of drugs/alcohol or "look-alike" substances will be considered as "possession with intent to deliver" as defined in the Delaware Code.

#### **Drug or Alcohol Use or Possession**

To possess on your person or among your personal belongings or to use or be under the influence of any illegal substance, capable of producing change of behavior or altering a state of mind or feelings; e.g., alcohol, marijuana, etc. This situation includes "look-alike" substances. Possession of excessive amounts of drugs/alcohol or "look-alike" substances will be considered as "possession with intent to deliver" as defined in the Delaware Code and will be dealt with as "drug or alcohol sale or distribution."

**Fighting**

Aggressive, physical conflict between two or more individuals assaulting each other; including wrestling and shoving.

**Fire Alarm Tampering**

Pulling a fire alarm, using a fire exit, or discharging a fire extinguisher when no fire or reasonable indication of fire is present. Causing a fire alarm or sprinkler system to engage when no fire or reasonable indication of fire is present. Tampering with, disabling, or destroying a fire alarm, sprinkler system, fire exit or fire extinguisher.

**Gambling**

Participating in game(s) of chance, including card playing, for money and/or other things of value. Evidence of organized gambling will be handled according to State Regulations.

**Leaving School without Authorization**

Once a student arrives at the school campus, he/she may not leave, unless authorized to do so, until the end of the student's scheduled day. *Students who are eighteen (18) years of age, may not sign themselves out of school. ALL students, regardless of age, must have written permission from a parent/guardian or a parent/guardian be on campus to take any student out of school for any reason.*

**Offensive Touching**

Intentionally touching or attempting to harm or harming another person with a part of the body, body fluids or with an instrument thereby causing offense, alarm, or injury.

**Offensive Touching to Staff**

Intentionally touching or attempting to harm a staff member or administrator thereby causing offense, alarm, or injury.

**Rape or Attempted Rape**

Forced sexual contact without consent of the victim.

**Reckless Driving**

Driving any vehicle in willful and wanton disregard for the safety of persons or property on school property or in a school zone.

**Robbery/ Extortion**

To obtain or attempt to obtain money, goods, services or information from another by force or the threat of force.

**Sexual Behavior**

Any action by one or more persons involving the use, display, or touching of those parts of the body generally referred to as "private" that is unacceptable in public.

**Sexual Harassment**

Sexual harassment is unwanted and unwelcome sexual advances, attention, requests for sexual favors and other verbal, written or physical actions of a sexual nature. It may include, but is not limited to, demeaning remarks about a person's clothing, body or sexual activity based on gender; unnecessary touching, patting, or pinching; leering at another person; and physical assault of a sexual nature.

**Smoking**

To hold a lighted cigarette (cigar, pipe, etc.), to draw in or exhale smoke, to chew or to use tobacco products. Smoking at school activities, in school buildings or on school grounds during school hours is prohibited. Smoking is also prohibited on school buses, on school-sponsored educational field trips at all times, and when participating in athletic and extra-curricular activities.

**Terroristic Threatening**

The threat to commit any crime likely to result in death or serious injury to person or property. This includes false statements likely to cause evacuation of a building, place of assembly or facility of public

transportation. This also includes statement(s) made that are likely to cause serious inconvenience; or in reckless disregard of the risk of causing terror or serious inconvenience.

#### **Theft/Possession/ Transfer of Stolen Goods**

The act of taking possession or transferring the property of another without the consent of the owner.

#### **Threatening Behavior**

A threat to engage in menacing behavior that is violent or sexual in nature — without physical contact — that would likely cause offense, annoyance or alarm. Terroristic threatening will be handled according to State School Board Regulations.

#### **Tobacco Possession**

The possession of tobacco products at school activities, in school buildings or on school grounds during school hours. (Possession meaning that a student has on the student's person, in student's belongings or under the student's reasonable control by placement of and knowledge of the whereabouts of tobacco.)

#### **Trespassing**

Presence of a suspended student in or about the school/campus who does not have a legitimate reason for being there or written permission from a school administrator.

#### **Unexcused Absence from School**

Absence from school without parent/guardian authorization or approved reason. See Attendance Policy for additional information.

#### **Vandalism**

The defacing of school property or the property of others.

#### **Weapons Offenses**

The possession, concealment or sale of any kind of weapon or dangerous instrument, including but not limited to: knife, gun, metal knuckles, tools, etc. or any other item that could be used as a weapon.

#### **Unauthorized Use of Electronics**

The use or display of any of the following on school premises during school hours is strictly prohibited:

- Cellular phones;
- Pagers Laser pointers;
- Radios/ Walkmans/ iPods/Music playing devices of any kind;
- Electronic games; and
- Blackberry/PDAs of any type

Other materials designated by building staff as disruptive or having the potential for causing disruption.

#### **Tardy/Late to Class/Homeroom Policy**

Students have four (4) minutes between the change of classes to get from one classroom to the next period classroom. It is expected that a student shall arrive on time and be in the classroom prior to the late bell ringing or have a pass from a teacher explaining the nature of the lateness. If a student is tardy/late to a class or a combination of classes in a marking period without a pass from a teacher; the following disciplinary actions will take place. **\*A student must be in the classroom by the time the bell rings or he or she will not be permitted to enter the classroom and should report directly to the Main Office.**

- The Responsible Classroom Management (RCM) Team will utilize the Responsible Classroom Management Plan – Student Handbook as it pertains to Guideline 1 (Expected Behaviors 1.1, Pg. 6)

#### **ZERO TOLERANCE POLICY**

Any student found to possess any illegal substances, materials, or items, or who commits any high level offenses as defined by the Delaware Code whether they are on school property, on a school bus or at any school sponsored function will be expelled even if it is the student's first offense.

### **REPORTING CRIMES TO POLICE**

Appropriate law enforcement officials should be notified when the school official encounters any of the following activities:

1. Evidence that suggests the commission of the crimes of assault and extortion against a student, or an assault, offensive touching, terroristic threatening or extortion against a school employee.
2. Evidence that suggests the commission of a felony, for example:
  - Reckless endangering;
  - Assault offenses;
  - Homicide;
  - Unlawful sexual contact, penetration or intercourse;
  - Sexual exploitation of children, pornography;
  - Arson;
  - Criminal mischief;
  - Bombs or any other type of explosive device;
  - Unlawful imprisonment or kidnapping;
  - Offenses involving concealed deadly or destructive weapons;
  - Promoting prostitution;
  - Burglary;
  - Robbery;
  - Felony theft offenses;
  - Extortion;
  - Computer/recorded sounds offenses;
  - Fraud offenses;
  - Forgery offenses; and
  - Riot.
3. Evidence that suggests violation of the laws concerning controlled substances and alcohol, such as:
  - Manufacture, delivery or possession with intent to manufacture or deliver a controlled substance or a counterfeit controlled substance;
  - Possession, delivery, possession with intent to deliver non-controlled prescription drugs (not obtained with valid prescription, including, but not limited to steroids);
  - Possession, use or consumption of a controlled or counterfeit substance or of alcohol; and
  - Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, L.S. D., designer or other drugs. Unauthorized possession or delivery of hypodermic syringe or drug paraphernalia;
4. Evidence that suggests incest, sexual abuse, the neglect, or other abuse of children.
5. Evidence that suggests the use, possession, or sale of dangerous instruments or deadly weapons,
6. e.g., knives, firearms, ammunition, explosives, or blasting caps.
7. Evidence that suggests morals offenses including, but not limited to - pornography, exhibitionism, peeping.
8. Evidence that suggests organized gambling.
9. Evidence that suggests an assault or offensive touching, terroristic threatening or menacing of a school employee.
10. Evidence of offenses involving school property, e.g., false fire alarms, telephone threats, computer crimes, vandalism and criminal mischief, trespass, burglary and theft, reckless driving and safety hazards. Reports of suspicious persons or unauthorized persons on or near school grounds or property.

11. Rumors, information, or observations of gang rivalries or activities.
12. Bullying is defined as when one person, or a group of persons, targets another person with repeated direct or indirect negative actions over a period of time, which are harmful to the victim either emotionally or physically. A negative action occurs when a person knowingly inflicts, or attempts to inflict, physical or emotional injury or discomfort upon another person.

### **DISCIPLINE CHART**

(See next chart for description of each code)

<b>Violation</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Subsequent or Severe Offense(s)</b>
Arson	G, O, U, V	G, Q, U, V	G, Q, U, V
Assault	G, O, U, V	G, Q, U, V	G, Q, U, V
Bullying	H, G	G, N	G, N or O
Criminal Mischief	G, N, U	G, O, U	G, Q, U, V
Drug or Alcohol Sale or Distribution	U, V	U, V	U, V
Drug or Alcohol Use or Possession * Drug/alcohol counseling may be required	U, V	U, V	U, V
Fighting * Severity of offense may be taken into account and lesser discipline may be administered in School Leader's discretion	G, N, U	G, O, U	G, U, Q or V
Fire Alarm Tampering	G, O, U	G, Q, U, V	G, Q, U, V
Gambling	A, G, H	A, G, or N	A, G, N or O U
Leaving School Without Authorization	A, N	E, N	E, O
Offensive Touching (of other students)	N, U	O, U	P, U, V
Offensive Touching (of staff/admin)	O, U	P, U, V	Q, U, V
Rape/Attempted Rape	U, V	U, V	U, V
Reckless Driving * Driving privileges may be suspended or revoked in School Leader's discretion	N, U	O, U	P, U
Robbery/Extortion	G, N, U, V	G, O, U, V	G, Q, U, V
Sexual Behavior	H or N, U	E, N or O, U	O, U
Sexual Harassment	E, N, U	N or O, U, V	O, U, V
Skateboard/Scooter/Rollerblade at School	C, H	D, H	D, N
Smoking	H	E, N	N or U
Steroid/Stimulant Possession, Use or Distribution	U, V	U, V	U, V
Terroristic Threatening	O, U	P, U, V	Q, U, V
Theft/ Possession or Transfer of Stolen Goods	E, G, U	G, N, U, V	G, Q, U, V
Threatening Behavior	H	N	N or O
Tobacco Possession * Items in violation of policy will be confiscated	H	N	E, O
Trespassing	A, U or N if PCS student	A, B, U or N if PCS student	A, E, U or O if PCS student
Unexcused absence from school * See also attendance policy	A, H	A, H	N

Weapons Offenses * Items will be confiscated	O or P, U, V	P, U, V	P, U, V
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### DISCIPLINE CODE DEFINITIONS

Code	
A	Verbal or Written Warning to Student
B	Parent/guardian Notification
C	Parent/guardian notification and confiscation of item at issue until parent/guardian retrieves it
D	Parent/guardian notification, confiscation of item at issue for remainder of semester and returned thereafter only when parent/guardian retrieves it
E	Parent/guardian notification and parent/guardian conference with school officials required
F	Parent/guardian notification and student held in office until parent/guardian brings appropriate attire
G	Restitution/ restoration
H	After-school detention for up to three school days and Parent/guardian Notification
I	After-school detention for four to six school days and Parent/guardian conference required
J	After-school detention for seven to ten school days and Parent/guardian conference required
N	Out-of-school suspension for up to three school days and Parent/guardian conference required
O	Out-of-school suspension for four to six school days and Parent/guardian conference required
P	Out-of-school suspension for seven to ten school days and Parent/guardian conference required
Q	Out-of-school suspension for more than ten school days and Parent/guardian conference required
R	Suspension from bus privileged for one to five school days
S	Loss of bus privileges for remainder of school year
T	Grade of zero for academic assignment or exam involved
U	Reporting to police or other authorities, if appropriate
V	Recommendation for expulsion

## **ADMISSION**

### **EXTRACURRICULAR ELIGIBILITY**

Any students who has a GPA that falls below 1.75 will disqualify them from participating in extracurricular activities until a GPA of 1.75 or higher is attained. (See PCS Athletics Academic Eligibility Guidelines)

However, in extraordinary circumstances a student may request a waiver of the policy. In athletics, the Athletic Director may grant the waiver. In all other cases, the Dean of Instruction will grant the waiver. **All requests for waivers must be submitted within two weeks after the end of any evaluation period (interim or quarter).** Under no circumstances will any waiver be granted to the separate policies for eligibility by the DIAA. In order to comply with the DIAA requirements, underclassmen must be passing five credits to be eligible for an athletic team. Seniors must be passing all courses required for graduation. In this situation, the semester grade is used instead of the quarter grade if there is a difference in the two grades.

If a student fails two or more courses for the year, he/she must make up at least one failure in an approved summer school program to be eligible to participate in extracurricular activities during the first quarter of the following school year. In the case of a year-end failure, a student can apply for the aforementioned waiver.

### **COURSE SELECTION**

The course selection process for the next school year begins during late spring in the second semester. Parents need to be a part of this process and be active in the consulting process that takes place with the student, teachers, and counselors. All course selection sheets must be signed and returned by the announced due date. If the student does not return these materials by the due date, either the present teacher, Department Head, or Guidance Counselor will suggest a schedule to be approved by the School Leader or Assistant School Leader.

### **DEFICIENCY/FAILURE WARNINGS**

These warnings are issued approximately four (4) weeks prior to the end of each semester. The issuance of a warning indicates the potential danger of failure, and the parent should understand the warning means that the student's performance needs substantial improvement. Parents may contact teachers at any time, but are encouraged to do so when a warning is received. **Parents should consistently monitor their student(s) progress through the online Home Access Center (HAC).**

### **EARLY ADMISSION TO COLLEGE**

Students who wish to qualify for admission to college before the completion of the senior year should seek appropriate information and guidance from their counselor.

### **EXAMINATIONS**

Examinations are an integral part of each course and are administered at the end of each semester. Students who do not take an examination (either first semester or second semester) without administrative approval will receive a zero for the semester in the course.

### **GRADE ADVANCEMENT**

To be promoted to the next grade level and retain enrollment in Pencader, students must successfully pass all required subjects during the school year or at summer school. Failure of three required subjects for the year will result in a student's dismissal. At the end of the eleventh grade, a student may be dismissed if a credit deficiency exists.

If a student received a failure for the year in a particular course, the student will be notified by letter as to

what action must be taken in order to fulfill requirements for continuance at Pencader. Failure letters are sent because of the time lapse of receiving report cards and summer school registration deadline. Failure of fewer than three courses during the school year requires adherence to the policies. Although a failure letter may not arrive, parents are required to check the failures appearing on the HAC system and make certain that the student makes up the failures in required courses.

#### *Grade 9*

##### Required Courses

Mathematics, English, Science, Social Studies, Business, Physical Education and Health.

#### *Grade 10*

##### Required Courses

Mathematics, English, Science, Social Studies, Business.

#### *Grade 11*

##### Required Courses

English, Mathematics, Social Studies, and Science, and Business. Juniors who fail and do not make up these credits in summer school must earn that required credit in the senior year. Course pre-requisites should be checked carefully to ensure that this option is available.

#### *Grade 12*

##### Required Courses

English and Mathematics, and any other credits required to fulfill graduation requirements

#### **GRADE REPORTING - Calculation of Report Cards**

Actual grades for each quarter will be entered for each student.

Semester grade calculation:

- 40% of 1st marking period + 40% of 2nd marking period + 20% of the final exam.
- Actual grade carried to one decimal place.

#### **GRADUATION CREDITS**

Students must earn 30 credits to graduate. The credit requirements are as follows:

Upon successful completion of a course, students will receive credit. There is no partial credit for partial completion of any course

#### **Plan for Promotion and Retention**

A student must earn a minimum of seven (7) credits in order to be promoted to the next grade level. A student must complete a minimum of thirty credits in the following required areas to be considered for graduation:

- |                     |     |   |
|---------------------|-----|---|
| • English           | 4.0 | (Grades 9 – 12)                                       |
| • Mathematics       | 4.0 | (Grades 9 – 12)                                       |
|                     |     | (a math course must be taken in the senior year)      |
| • Science           | 4.0 | (Grades 9 – 12)                                       |
| • Social Science    | 4.0 | (Grades 9 – 12)                                       |
| • Business Pathway  | 3.0 | (Grade 9 - 11) (Must Complete Level 3 of any Pathway) |
| • Business Capstone | 1.0 | (Grade 12)  |
| • Health            | 0.5 | (Semester 1 – Grade 9)                                |
| • Physical Ed       | 1.0 | (Semester 2 – Grade 9)                                |
| • World Language    | 2.0 | (Grades 9 – 12)                                       |
| • Freshman Seminar  | 1.0 | (Grade 9)   |
| • Electives         | 5.5 | (Grades 9 – 12)                                       |

TOTAL 30

## **HOMEWORK**

Students should expect two to three hours of homework for each school day and as previously mentioned, students are accountable for homework assignments. All assignments must be completed in accordance with each teacher's instructions. If a student is absent for two (2) or more days, the parent/guardian should contact the Guidance Department for class/homework assignments. Parents must call before 10:00 a.m. in order to provide teachers with time to complete the assignment sheet by the end of the school day. If a student is absent for only one (1) day, it is the responsibility of that student to contact each teacher when he/she returns to school to obtain missed work and make arrangements for completion of the work missed.

## **HONOR ROLL**

To provide recognition for those students who excel academically at Pencader Charter has instituted an honor roll for each quarter.

- Distinguished Honor Roll
  - To earn first honors a student must earn a grade of 93 or above (all A's) in all subject areas.
- Honor Roll
  - A student may achieve second honors with grades of 85 or above (all A's and B's) in all subject areas.

Honor Roll students will be recognized at a special event held only for those students those students who earn academic honors. These events will take place during the school day.

## **INCOMPLETE GRADES**

If a student receives Incomplete (I) for a quarter, the student has one-half of a quarter to make up the work and earn a grade or the "I" will be replaced by a failing grade.

A student cannot earn an "I" for a final grade at the end of the year unless, due to an extreme circumstance, the Assistant School Leader for Academic Affairs approves it. In this case a letter will be sent notifying the parents of the work to be completed over the summer to receive a grade. The "I" must be removed in September. In the case of required courses, parents must be notified of the action to be taken if the "I" is not replaced with a passing grade.

## **LANGUAGE STUDY REQUIREMENTS**

The study of a foreign language at Pencader Charter is considered to be an elective course. However, students are required to obtain two (2) credits in language study. If a student fails one language he/she may be permitted to take another language with the approval of the Department Head. Successive levels of foreign language must be taken consecutively; a student may not skip a year between one level of a foreign language and the next level. In the case of extreme or extenuating circumstances, the Assistant School Leader can make an exception after conferring with the Department Head.

## **LEARNING DIFFERENCES**

Pencader Charter employs a phasing system of class difficulty, which allows each student to be successful within courses that are structured to their specific ability levels. Students are assisted in developing compensation strategies for learning differences which they may experience, an opportunity which is designed to empower them to be able to achieve successfully both at the high school and post-high school. Teachers design assignments and assessments so that the time allotted for the task is appropriate with the ability of students placed in that class. The ability to complete tasks in a specified time is part of the talent required to perform successfully in a specific phase. Untimed testing is available only for standardized testing.

A qualified professional must document verification of a student's diagnosis after a complete and appropriate educational evaluation. If it is determined that the nature of a student's learning differences

are such that they can be accommodated at Pencader, the guidance counselor will facilitate and coordinate the services which can be provided. An alternative educational placement will be considered if the differences are beyond the scope of the services provided by Pencader's program.

### **NATIONAL HONOR SOCIETY**

The Honor Society is a national organization that selects members on the basis of scholarship, leadership, service and character. National Honor Society membership is an honor bestowed upon a student. A Faculty Council nominates students who exhibit outstanding scholarship, character, leadership, and service. Once selected, members are responsible for continuing to demonstrate these qualities. Selection to NHS is a privilege, not a right. Students must have a minimum GPA of 93% in all courses. Only those students scholastically eligible are invited to complete and submit the Student Activity Information Form for selection consideration. For further information, interested students should see the NHS moderator.

### **PHASING**

The phasing system is a method of presenting curriculum offerings to a student in a manner which effectively recognizes the student's ability level. A system acknowledges that each student is a distinct person whose intellectual ability is probably different from those of his /her classmates.

Under the phasing system, Pencader Charter offers courses on different academic levels depending upon the intrinsic difficulty and depth of each course. The following explanation can be used as a guide in understanding the phase of each course.

- Phase 4: College Preparatory AP courses for students with superior ability - usually students performing in the top 10th percentile nationally as measured by standardized tests. In the upper grades, courses include Advanced Placement.
- Phase 3: College Preparatory Honors courses: 75 – 90 percentile nationally
- Phase 2: College Preparatory: 60 – 75 percentile nationally
- Phase 1: College Preparatory: Below the 60<sup>th</sup> percentile nationally

A student's placement in a homogeneous ability group is practiced in most academic departments. Other departments use heterogeneous ability groups. The use of homogeneous and heterogeneous groupings is seen as a benefit to students because it enables them to interact with different groups.

Students entering grade 9 are phased in each subject by the particular Department Head and Guidance Counselor, with approval by the Assistant School Leader. Students in grades 10, 11, and 12 are phased for the next year by their individual subject teachers in the present year with approval from the Assistant School Leader.

### **PHYSICAL EDUCATION**

If a student is physically unable to participate in the regular physical education program, the student must present a written statement from the doctor stating the extent of the disability and the extent of the limitation of participation. The school nurse and the head of the physical education department supervise these exceptions.

### **QUALITY POINTS SYSTEM AND CLASS RANK**

The total number of quality points earned determines a student's class rank, computed at the end of the school year. Quality points are assigned by a grade earned in a particular phase. Grades below 69 earn 0 quality points. Driver's Education grades are not included in the calculation of GPA or class rank.

- A = 4 Points
- B = 3 Points
- C = 2 Points
- D = 1 Point

### **TESTING PROGRAMS**

The PSAT and AP Exams are administered on site at Pencader Charter High School.

## **WITHDRAWAL**

If a student wishes to transfer, the student's parents must complete a withdrawal form available from the Dean of Instruction or Dean of Students.

## **REGULATIONS**

No set of regulations can be exhaustive. Recognizing its responsibility to safeguard its good name and the welfare of its students, Pencader Charter High School reserves the right to respond as it sees fit to the actions of its students, even if those actions take place outside of school hours or off school property.

While the School does not hold itself responsible for offenses committed outside of its jurisdiction, conduct or an allegation of inappropriate conduct that might jeopardize the good name of Pencader Charter High School, or which is of such a nature as to force the question of whether a student's presence at Pencader can reasonably be considered to be a potential threat to the safety or well-being of other students in the School, or which can reasonably be determined to interfere with the educational process, is cause for the School to request the withdrawal of a student. This withdraw may be requested whether the conduct or alleged conduct occurred on school property or at another location. Absent that withdrawal, Pencader Charter reserves the right to expel a student. This includes, but is not limited to, any activity that results in police intervention. Students should be particularly aware of this when they are formally representing Pencader Charter, and/or when they are guests at any other school or institution.

The authority and responsibility for directing the activities of our school have been given to the professional staff as determined by the administration. **Insubordination is the failure of a student to follow the reasonable directives of a teacher or staff member during the day and at all school activities.** Insubordination will result in a parent conference and possible suspension.

## **SECURITY**

Under no circumstance is a student permitted in the parking area or at their vehicles without a pass from the main office. Students may not leave school property during the school day without authorization. Students assisting other students in leaving school property may lose additional privileges including, but not limited to, driving to school. Students are not to loiter in hallways, lobbies, lavatories or stairwells. Students are not to be in locker rooms during the school day unless it is related to their attendance in a PE class. Appropriate disciplinary action will be taken if students are found in these areas.

## GENERAL INFORMATION

### PENCADER RECYCLING PROGRAM

Pencader Charter participates in a school-wide recycling program. Students and staff will use the following guidelines to help make the program a success:

1. Recycling Information
  - The Pencader staff will discuss information regarding the program at assemblies and in classrooms during the first few weeks of the school year.
  - The student Recycling Team will hold informational expos outside the cafeteria, present in classrooms, and circulate useful information about recycling.
2. Recycling Bins – Placement
  - Cafeteria
  - Classrooms
  - Hallways
  - Common Areas
3. Recycling Procedures:
  - All eligible materials should be placed into the proper recycling bin, located in the places listed above.
    - o You may commingle many recyclable materials. For instance, paper, glass, plastics and cardboard may be deposited into the same bin.
    - o Please **DO NOT** mix trash with recyclable goods.
  - Place all non-recyclable items in trash bins.
  - Refer to the recycling list below for clarification.
4. Use the following table to determine if items are recyclable:

Recyclable	Non-recyclable
Paper (Office paper, notebook paper)	Styrofoam
Newspaper	Plastic Wrap
Magazines, Phonebooks, Catalogues	Food (scraps, apple cores, etc)
Paper Bags	Plastic Bags (Containing food)
Cardboard	Paper Cups (with wax coating)
Plastic Bottles (soft drink, water, etc)	Milk Cartons
Glass Bottles (drink, salad dressing, etc.)	Plastic Cups
Aluminum (soda cans, aluminum foil, etc.)	Used Paper Plates
Plastic bags	Paper Towels/Napkins

If you see the following signs on a plastic item, then it is recyclable:



3. Contact the Assistant School Leader and/or the Student Recycling Team for collection:
  - A collection team will empty classroom recycling containers weekly.
  - If your container is full before the team is scheduled to empty your container, contact the Assistant School Leader.



## **ATHLETICS**

A copy of the Athletic Rules will be distributed by the coach to the students who participate on an athletic team. See Mr. Sprinkles, the Athletic Director, for more information.

## **CHANGE OF ADDRESS**

The school must be notified immediately of any change of address or phone number so that the school records may remain accurate. An original power bill or lease statement is required. The original document must be given to Mrs. Taylor on the second floor. The original document will be returned after a copy is made for our records. All change of address documentation is handled through Pencader's Records Office located on the second floor, 260's corridor.

## **EARLY DISMISSAL**

Time spent in school is valuable and interruptions should be held to a minimum. Therefore, all appointments should be scheduled for after school. If necessary, early dismissals will be granted for medical and dental appointments when the request is made in writing from a parent stating the name of the doctor and the time of the appointment.

A student should bring the note to the main office before homeroom. Written requests must have a time and a phone number where parents can be contacted to confirm the request. If a student becomes ill in school, the nurse will determine if an early dismissal is necessary. Parents are not to allow students to ask for early dismissals on special days; e.g. pep rallies, retreats, or other programs. These activities are an essential aspect of the overall school life and to excuse a student lessens the value of such experiences. Early dismissals by phone on these days will not be accepted.

## **ELECTRONIC COMMUNICATION SYSTEM**

Our role as educators is to prepare our students to live and work with computing technology and with electronic communication systems in a responsible, productive, legal, and ethical manner, and with the values that are part of the Pencader Charter community.

Our goal in providing electronic information and communication skills is to give our students the fundamental computer skills required of citizens and employees of the 21st century.

**Access**--Access to Pencader Charter's electronic communication systems is provided to students and members of the Pencader Charter's community as a tool in support of activities related to classroom learning. Access to network services is given to students who agree to act in a responsible manner, in compliance with the Pencader Charter Acceptable Use Policy Agreement. Students are responsible for their behavior, actions, and communications when using the school's network and computer technology. Students are responsible for the appropriateness and content of material they store, transmit, or publish on the system.

**Netiquette**--As a Pencader Charter student, he/she is expected to abide by the generally accepted rules of network etiquette. All communications and information accessible via the network are subject to general copyright laws.

**Privileges**--The use of electronic networks and computer technology is a privilege, not a right.

**Privacy**--Communication over networks should not be considered private. Network administrators may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should **not** expect that files will be private. All students and their parents/guardians will be required to sign an Acceptable Use Policy Agreement before systems are available.

## **EMERGENCY DRILLS**

Proceed to indicated exits quickly, quietly, and in good order. Good order is to be maintained outside while waiting to return to the building.

## **HEALTH SERVICES**

A registered nurse is on duty every school day in the health suite located in Room 104 (next to elevator). Parents should first report to the main office when coming to pick up a child who is ill. If a student becomes ill, he/she should get permission from his/her teacher to report to the nurse. If a student is not in class or there is a real health emergency, the student may report directly to the health suite. A student should never remain in a lavatory. When a student claims to have been ill and missed a class because he/she spent the time in a lavatory the student will be given demerits and detentions for class cutting. *Before entering Pencader all freshmen must have a physical examination with all immunizations up to date.* Every student must have an emergency form on file in the health suite. The forms, which are provided by the school, must note emergency phone numbers and any special health conditions. Athletes must have a physical exam each year after May 1 to be eligible to participate in the succeeding year. If a student was absent from school with a contagious disease, the student must submit a doctor's note to the nurse before being readmitted to school. If a student requires prescription medication the student must leave the medication with the school nurse and the medicine must be taken in the presence of the nurse. All medications must be in the original container with label intact.

## **LOST AND FOUND**

If a student loses or finds articles such as clothing, jewelry, etc. he/she must report such occurrences to the main office.

## **NON-DISCRIMINATORY POLICIES**

Pencader Charter High School admits students of any race, color, sex, national and ethnic origin, to all rights, privileges, programs and activities at the school. Pencader Charter High School does not discriminate against race, color, sex, or national origin in the administration of its educational policies, admissions policies and loan program, athletic and other school-administered programs.

## **PHOTOGRAPHS**

During the year all students will have the opportunity to have their pictures taken. Whether or not a student purchases the prints, the student must have his/her picture taken for the permanent record files and for identification cards. The ID card must be carried with you during the school day and at all school activities.

## **SCHOOL CLOSINGS / LATE OPENINGS**

Closings or late starts will be announced on the following radio stations by 6:30 a.m. Listen specifically for Pencader Charter.

- o WDEL 1150 AM WILM 1450 AM
- o WNRK 1260 AM WJBR 99.5 FM
- o WSTW 93.7 FM WDOV 1410 AM

## **STATEMENT OF ASSURANCE**

Pencader Charter High School shall comply, where able, with Title IX of the Educational Amendments of 1972 of Public Law 92-318, and all the pertinent regulations of the Department of Health, Education, and Welfare, issued pursuant to the Title, to the end that no person in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, be denied employment in, or be subjected to discrimination of any educational programs or activity receiving federal funds.

**Athletic Schedules can be found on the Pencader Charter High School Website at  
[www.pencader.charter.ok12.de.us](http://www.pencader.charter.ok12.de.us)**

# Class Schedule

## Rotating Schedule

Day 1	Day 2	Day 3	Day 4	Day 5
1	2	3	4	5
2	3	4	5	1
3	4	5	1	2
4	5	1	2	3
A, B, C Lunch	A, B, C Lunch	A, B, C Lunch	A, B, C Lunch	A, B, C Lunch
5	1	2	3	4
Activity Period	Activity Period	Activity Period	Activity Period	Activity Period

**Students arrive on campus and move directly to Block 1**

Block 1            7:30 am – 8:45 am

Block 2            8:49 am – 9:59 am

Block 3            10:03 am – 11:13 am

Block 4            11:17 am – 1:12 pm

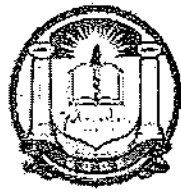
A Lunch            11:17 am – 11:52 am

B Lunch            11:57 am – 12:32 pm

C Lunch            12:37 pm – 1:12 pm

Block 5            1:16 pm – 2:26 pm

Activity Period      2:30 – 3:00



# PENCADER

CHARTER HIGH SCHOOL

## Signature Document

### *Student Signature Required*

I have read and reviewed the Pencader Charter High Student Code of Conduct and agree that I will follow the policies and procedures as outlined. I understand that failure to abide by the policies and procedures as outlined may result in disciplinary actions.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Student Name:

### *Parent/Guardian Signature Required*

We/I have read and reviewed the Pencader Charter High Student Code of Conduct with our/my child and agree that he/she will follow the policies and procedures as outlined. We/I understand that our/my child's failure to abide by the policies and procedures as outlined may result in disciplinary actions being taken.

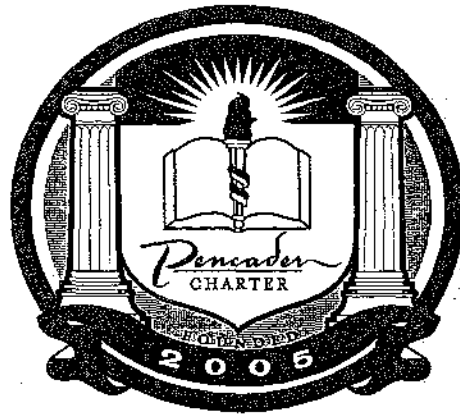
\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

*Please have your student return this signed document to  
his/her Block 1 teacher by September 9, 2011.*



**PENCADER**  
CHARTER HIGH SCHOOL

*170 Lukens Drive  
New Castle, DE 19720  
Office (302) 573-7760  
Fax (302) 472-0796*

## STUDENT APPLICATION



# PENCADER

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## CHARTER HIGH SCHOOL

### MISSION STATEMENT

The Pencader Business & Finance Charter High School is committed to providing students in grades 9 – 12 an innovative and challenging academic atmosphere. Our school curriculum is a unique combination of academia and character education, as well as business and finance courses that will enable students to meet or exceed the Delaware Performance Requirements for graduation. Upon graduation, students will be equipped with the skills needed for employment in the business and finance industry and/or to pursue studies at a post secondary level. Business courses will focus on current and accepted business practices and modalities. They are designed to equip students with an awareness of the rapidly changing and increasingly interconnected world economy.

At Pencader Charter, we believe parental involvement is a cornerstone crucial to the success of the school. Parents are encouraged to visit the school and play an active part in their child's education. A collaborative effort between students, parents, staff, and administration is imperative to empower our students to be successful contributors in the business and finance world of today.

### GENERAL INFORMATION

Chartered in 2005, Pencader Charter is a public school open to students in Delaware. The core curriculum of subjects is structured such that all graduating students will meet the stringent criteria for each to earn a high school diploma.

All Pencader students received the traditional core courses in English, Mathematics, Science, Social Studies, Health, Driver Education, and Physical Education in addition to selecting from three Career Pathways from which they will take the corresponding business and finance courses.

Pencader offers a full compliment of Advanced Placement course in Mathematics, Science, Social Studies, and English.

*Ann E. Lewis, PhD.*  
School Leader

## ADMISSIONS PROCEDURE

*Every family must complete a Student Application for each student seeking admission to Pencader Charter High School*

1. Please read all PCHS admissions materials and make a determination as to whether your goals match with the philosophy and objectives of PCHS.
2. Prepare and submit your application along with the following:
  - Completed application of admission
  - Current Immunization Records
  - Physician Physical in the past two years
  - Withdrawal Documents from Previous School (if requesting entrance during the school year.)
  - Most Recent Report Card
  - Final Report Card
    - For incoming 9<sup>th</sup> Graders – all 8<sup>th</sup> Grade Report Cards must say 'Promoted to 9<sup>th</sup> Grade.'
    - The Final Report Card must be submitted at the completion of your student's eighth grade year.
  - Final Transcript (by June 30<sup>th</sup>)
  - Discipline Report
  - Birth Certificate
  - Proof of Residency: Electric or Power Bill (**No Phone Bills**)
  - Parent ID
  - Custody Papers if Applicable
  - Copy of current DCAS, Terra Nova, or other applicable exam
  - RTT Score if your student attended a school using the MAP Test
  - Teacher Referral form (attached) completed by one of your child's core subject teachers

### Additional New Student Information

- Sports Physical for Students Playing Sports
3. We will contact you to arrange a time to interview with the admissions team. When possible, we desire both parents to attend along with the applicant. This interview is designed to determine whether there is sufficient interest with prospective parents and the prospective student in regard to both educational goals and school environment.

Pencader Charter High School  
170 Lukens Drive  
New Castle, DE 19720

## STUDENT APPLICATION

We would like to enroll the following student to begin (Year) \_\_\_\_\_ (Grade) \_\_\_\_\_

First Name \_\_\_\_\_

Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_

Returning Student \_\_\_\_\_ yes \_\_\_\_\_ no Gender \_\_\_\_\_ M \_\_\_\_\_ F Age & Birthday \_\_\_\_\_

	Last Name	First	M. I.	Employer	Bus. Telephone
Father					
Step Father					
Mother					
Step Mother					
Guardian					

	Number & Street	City	State	Zip	Home Telephone
Family Address					
E-Mail Address					
Mother's Cell Phone:					
Father's Cell Phone:					

**Names and ages of all younger children in family.**

Name	Age	Name	Age

Do you have a sibling that is a student at Pencader? If so, who? \_\_\_\_\_

How did you hear about Pencader Charter High School? \_\_\_\_\_

## Student Data Collection

Please answer the following questions:

1. Please check yes or no in the appropriate box.

<b>NO</b>	<input type="checkbox"/>	My child is not Hispanic or Latino
<b>YES</b>	<input type="checkbox"/>	My child is Hispanic or Latino

2. What is your child's race? Please select one or more by checking the appropriate box(s).

<input type="checkbox"/>	American or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.
<input type="checkbox"/>	Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, e. g., Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam
<input type="checkbox"/>	Black or African American	A person having origins in any of the black racial groups of Africa
<input type="checkbox"/>	Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
<input type="checkbox"/>	White	A person having origins in any of the Original peoples of Europe, the Middle East, or North Africa.

3. Student's Ethnicity: \_\_\_\_\_ African American (2), American Indian/AK (1), Asian (6), Caucasian (5), Native Hawaiian or Other Pacific Islander (7).

**Ethnic Codes**

Description	Code
American Indian/AK	1
African American	2
Caucasian	5
Asian	6
Native Hawaiian or Other Pacific Islander	7

\_\_\_\_\_  
Parent/Guardian Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Name (Print)

\_\_\_\_\_  
Date

**This additional information will aid our staff in assisting your child in adjusting to his/her new environment at PCHS.**

1. Are you currently enrolled in honor classes? ☐ Yes ☐ No
2. Does student have one-half credit for Health? ☐ Yes ☐ No
3. Does student have one credit in Physical Education? ☐ Yes ☐ No
4. Has your child taken Drivers Education in a public school? ☐ Yes ☐ No
5. What school district do you reside in? \_\_\_\_\_
6. What school are you coming from? \_\_\_\_\_
7. Is another language (other than English) spoken by the student? ☐ Yes ☐ No
8. Is there another language (other than English) spoken at home? ☐ Yes ☐ No  
If yes: by whom? \_\_\_\_\_  
What language? \_\_\_\_\_
9. Country of student's birth: \_\_\_\_\_
10. When did your child first enter a US public school system? \_\_\_\_\_  
(MM/DD/YYYY)
11. Have you moved across state or school district lines within the last 3 years? ☐ Yes ☐ No
12. Have you ever (or are you currently) seeking employment in agriculture, food processing, or in the fisheries? ☐ Yes ☐ No

**Please check below courses that your child would be interested in if their schedule permits.**

_____ Art	_____ Yearbook	_____ Spanish
_____ Chess Club	_____ Chinese	_____ Drama
_____ Science Olympiad	_____ Eco Club	_____ Robotics
_____ Business Professionals of America		_____ Math League

**Please check below the sport(s) that you child would like to play**

_____ Football	_____ Track	_____ Lacrosse
_____ Cross Country	_____ Baseball	_____ Soccer
_____ Swimming	_____ Softball	_____ Cheerleading
_____ Basketball	_____ Other (write in)	

### Parent Question

As a parent, you have special knowledge of your child. Your response to the following question will help us to know your child better.

1. Pencader Charter High School seeks to identify and develop the best in all students. What do you want your child to accomplish at Pencader, and how will your child contribute to a positive school environment? Please also address the reasons why you would like your child to attend Pencader Charter High School.

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### Student Question

Please answer the following question in your own words and handwriting. There is no right or wrong answer.

1. Why are you applying to Pencader Charter High School?

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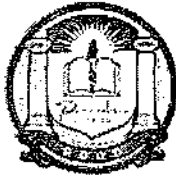
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# PENCADER

## CHARTER HIGH SCHOOL

By signing below, all applicable parties are stating the following:

1. I understand that my child is required to remain in this charter school, in the absence of any condition constituting good cause, for at least one school year. This contract is binding on both parties at the time of signature.
2. That we have read, understand and are in complete agreement with Pencader Charter's Student Code of Conduct.

Name: \_\_\_\_\_  
Print Parent/Guardian Name Parent/Guardian Signature

Name: \_\_\_\_\_  
Print Parent/Guardian Name Parent/Guardian Signature

Student Name: \_\_\_\_\_  
Print

Student Name: \_\_\_\_\_  
Signature

Phone #: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_



# PENCADER

CHARTER HIGH SCHOOL

## Referral Form

To be completed by Core Subject Teachers

The goal of Pencader Charter is to educate young men and women in an environment conducive to learning where the overarching goal is to provide an educational opportunity that equips them with the requisite knowledge and societal expectations needed for success in a post secondary learning institution.

Student: \_\_\_\_\_

School Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Please complete the following table by placing an 'X' in the appropriate column:

<b>Skills/Competencies</b>	<b>Average</b>	<b>Above Average</b>	<b>Outstanding</b>
Current GPA			
Content Knowledge			
Reading Comprehension			
Organizational Skills			
Initiative			
Time Management			
Behavior			
Collaboration Skills			
Attendance			
Verbal Communication Skills			
Written Communication Skills			

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If applicable please check which activities the student has been involved with:

\_\_\_\_ Math League    \_\_\_\_ Science Olympiad    \_\_\_\_ Mock Trial    \_\_\_\_ Model UN  
\_\_\_\_ Athletics    \_\_\_\_ Newspaper    \_\_\_\_ Yearbook    \_\_\_\_ Other

\_\_\_\_\_  
Teacher Name: Print

\_\_\_\_\_  
Date

\_\_\_\_\_  
Teacher Name: Signature

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

FORM 1023 ATTACHMENT

**OTHER SUPPLEMENTARY ATTACHMENTS**

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

ATTACHMENT TO FORM 1023

#### **PART IV -- NARRATIVE DESCRIPTION OF ACTIVITIES OF THE ORGANIZATION**

THE PENCADER EDUCATION ASSOCIATION WAS INCORPORATED ON SEPTEMBER 3, 2003 IN THE STATE OF DELAWARE TO ORGANIZE AND OPERATE A CHARTER SCHOOL IN THE COUNTY OF NEW CASTLE, DELAWARE. IN APRIL 2006, THE INTERNAL REVENUE SERVICE GRANTED THE ORGANIZATION EXEMPT STATUS UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE SERVICE CODE, EFFECTIVE SEPTEMBER 3, 2003. A COPY OF THE APRIL 26, 2004 IRS DETERMINATION LETTER IS ATTACHED.

THE PENCADER EDUCATION ASSOCIATION OPENED THE PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL IN 2006. PENCADER BUSINESS AND FINANCE CHARTER HIGH SCHOOL IS A PUBLIC CHARTER HIGH SCHOOL IN THE STATE OF DELAWARE AND MAINTAINS A FOCUS ON BUSINESS EDUCATION AS A CORE CONTENT ALONG WITH MATHEMATICS, SCIENCE, SOCIAL STUDIES, AND ENGLISH. PENCADER IS THE ONLY BUSINESS AND FINANCE HIGH SCHOOL IN DELAWARE. PENCADER IS ALSO THE FIRST AND ONLY HIGH SCHOOL IN DELAWARE TO OFFER THE HIGH SCHOOL FOR BUSINESS PROGRAM THROUGH MBA RESEARCH. WHETHER STUDENTS WANT TO PURSUE A CAREER IN MEDICINE, SPORTS MANAGEMENT, FORENSIC SCIENCE, OR BECOME A SMALL BUSINESS OWNER, STUDENTS HAVE ACCESS TO AN EXEMPLARY EDUCATION WITH HIGHLY QUALIFIED TEACHERS AND AN INNOVATIVE AND CHALLENGING ACADEMIC ATMOSPHERE. THROUGH PENCADER'S EXTRACURRICULAR ACTIVITIES, THERE ARE MULTIPLE OPPORTUNITIES FOR ACADEMIC ENRICHMENT. THESE ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO BUSINESS PROFESSIONALS OF AMERICA (BPA), WHICH IS NATIONALLY RECOGNIZED, MATH LEAGUE, ECO CLUB, SCIENCE OLYMPIAD, ROBOTICS CLUB, NATIONAL HONOR SOCIETY, AND YEARBOOK.

PENCADER'S CURRICULUM IS A UNIQUE COMBINATION OF ACADEMIA AND CHARACTER EDUCATION, AS WELL AS BUSINESS AND FINANCE COURSES THAT WILL ENABLE STUDENTS TO MEET OR EXCEED THE DELAWARE PERFORMANCE REQUIREMENTS FOR GRADUATION. UPON GRADUATION, STUDENTS WILL BE EQUIPPED WITH THE SKILLS NEEDED FOR EMPLOYMENT IN THE BUSINESS AND FINANCE INDUSTRY AND/OR TO PURSUE STUDIES AT A POST-SECONDARY LEVEL. PENCADER OFFERS A FULL LINE OF ADVANCED PLACEMENT COURSES IN MATHEMATICS, SCIENCE, SOCIAL STUDIES AND ENGLISH. FOR THE SECOND YEAR, PENCADER HAS BEEN AWARDED A NASA MINI GRANT WHICH SUPPORTS THE AERONAUTICS AND ROBOTICS PROGRAM. PENCADER ALSO OFFERS SPORTS WHICH INCLUDE, BUT ARE NOT LIMITED TO FOOTBALL, SOCCER, VOLLEYBALL, BASKETBALL, BASEBALL,

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

ATTACHMENT TO FORM 1023

LACROSSE, AND SOFTBALL. PENCADER WORKS WITH THE 'WHOLE' CHILD AND USES EVERY OPPORTUNITY TO INTEGRATE LEARNING ACROSS ITS CURRICULUM AND THROUGH ITS SPORTS AND OTHER EXTRACURRICULAR ACTIVITIES.

**PART V, QUESTION 1A -- SCHEDULE OF OFFICERS, DIRECTORS AND BOARD MEMBERS**

<u>NAME</u>	<u>TITLE</u>	<u>MAILING ADDRESS</u>	<u>ANNUAL COMPENSATION</u>
FRANK MCINTOSH	PRESIDENT	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
DR. DAN YDUNG	VICE PRESIDENT	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
JAY ANDERSON	SECRETARY	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
REBECCA FABER	TREASURER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
DAPHNE DAVIS	COMMUNITY MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
JUDI KENNEDY	PARENT MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
CHARLES EVANS	PARENT MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
ANNA TERRANOVA	TEACHER REPRESENTATIVE	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$22,843
FRED DAWSDN	COMMUNITY MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE
JACALYN BEAM	COMMUNITY MEMBER	170 LIKENS DRIVE NEW CASTLE, DE 19720	NONE

**PART V, QUESTION 1B -- SCHEDULE OF HIGHEST COMPENSATED EMPLOYEES RECEIVING COMPENSATION OVER \$50,000**

<u>NAME</u>	<u>TITLE</u>	<u>MAILING ADDRESS</u>	<u>ANNUAL COMPENSATION</u>
ANN LEWIS	Head of School	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$122,594

PENCADER EDUCATION ASSOCIATION  
EIN: 20-0388633

ATTACHMENT TO FORM 1023

AMANDA FRASER	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$102,746
KAREN DICKENS	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$76,793
BRETT TOWNSEND	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$59,185
ELIZABETH MCKENNY	Employee	170 LIKENS DRIVE NEW CASTLE, DE 19720	\$53,339

**PART V, QUESTION 3A -- QUALIFICATIONS, AVERAGE HOURS WORKED AND DUTIES**

**OFFICERS, TRUSTEES AND DIRECTORS REPORTED IN QUESTION 1A**

DUTIES FOR OFFICERS: REFER TO ARTICLE V OF THE ORGANIZATION'S BYLAWS AT SUBHEADING "OFFICERS AND POWERS." A COPY OF THE ORGANIZATION'S BYLAWS IS PROVIDED AS SUPPORTING DOCUMENTATION FOR FORM 1023, PART II, ITEM 5.

QUALIFICATIONS: FROM DEDOE ADMINISTRATIVE REGULATIONS, REGULATION 275:

**4.0 STANDARDS AND CRITERIA FOR GRANTING CHARTER**

**4.1 APPLICANT QUALIFICATIONS**

4.1.1 THE APPLICANT MUST DEMONSTRATE THAT ITS BOARD OF DIRECTORS HAS AND WILL MAINTAIN COLLECTIVE EXPERIENCE, OR CONTRACTUAL ACCESS TO SUCH EXPERIENCE, IN THE FOLLOWING AREAS:

4.1.1.1 RESEARCH BASED CURRICULUM AND INSTRUCTIONAL STRATEGIES, TO PARTICULARLY INCLUDE THE CURRICULUM AND INSTRUCTIONAL STRATEGIES OF THE PROPOSED EDUCATIONAL PROGRAM.

ATTACHMENT TO FORM 1023

4.1.1.2 BUSINESS MANAGEMENT, INCLUDING BUT NOT LIMITED TO ACCOUNTING AND FINANCE.

4.1.1.3 PERSONNEL MANAGEMENT.

4.1.1.4 DIVERSITY ISSUES, INCLUDING BUT NOT LIMITED TO OUTREACH, STUDENT RECRUITMENT, AND INSTRUCTION.

4.1.1.5 AT RISK POPULATIONS AND CHILDREN WITH DISABILITIES, INCLUDING BUT NOT LIMITED TO STUDENTS ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES.

4.1.1.6 SCHOOL OPERATIONS, INCLUDING BUT NOT LIMITED TO FACILITIES MANAGEMENT.

4.1.2 THE APPLICATION MUST IDENTIFY THE CERTIFIED TEACHERS, THE PARENTS AND THE COMMUNITY MEMBERS WHO HAVE BEEN INVOLVED IN THE PREPARATION OF THE APPLICATION AND THE DEVELOPMENT OF THE PROPOSED CHARTER SCHOOL.

4.1.3 THE APPLICANT'S BYLAWS MUST BE SUBMITTED WITH THE APPLICATION AND MUST DEMONSTRATE THAT:

4.1.3.1 AT THE TIME AT WHICH THE SCHOOL COMMENCES ITS INSTRUCTIONAL PROGRAM AND ALL TIMES THEREAFTER, THE BOARD OF DIRECTORS OF THE CHARTER HOLDER MUST INCLUDE A DELAWARE CERTIFIED TEACHER EMPLOYED AS A TEACHER AT A CHARTER SCHOOL OPERATED BY THE APPLICANT IN DELAWARE AND ALSO INCLUDE AT LEAST ONE PARENT OF A STUDENT ENROLLED IN A CHARTER SCHOOL OPERATED IN DELAWARE BY THE CHARTER HOLDER; FURTHER PROVIDED A SINGLE INDIVIDUAL SHALL NOT REPRESENT BOTH THE CERTIFIED TEACHER AND PARENT ROLE ON THE BOARD;

AVERAGE HOURS WORKED AND QUALIFICATIONS FOR OFFICERS AND BOARD MEMBERS: SEE EXPLANATION FOR PART V, QUESTION 1A

**PART V, QUESTION 4G -- EXPLANATION OF COMPENSATION POLICIES**

SEE EXPLANATION FOR PART V, QUESTION 5B, BELOW.

PENCADER EDUCATION ASSOCIATION  
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**PART V, QUESTION 5B -- PROCEDURES FOR ESTABLISHING COMPENSATION**

PENCADER EDUCATION ASSOCIATION DOES NOT HAVE A CONFLICT OF INTEREST POLICY FOR INDIVIDUALS WHO APPROVE COMPENSATION ARRANGEMENTS TO FOLLOW IN SETTING SUCH COMPENSATION.

ALL COMPENSATION ARRANGEMENTS ARE REVIEWED AND APPROVED BY THE BOARD OF DIRECTORS.

THE BOARD MEMBERS ARE NOT COMPENSATED FOR THEIR SERVICES

THE ORGANIZATION IS IN THE PROCESS OF ADOPTING A CONFLICT OF INTEREST POLICY.

**PART V, QUESTION 5C -- EXPLANATION REGARDING BUSINESS DEALINGS**

PENCADER EDUCATION ASSOCIATION'S BOARD OF DIRECTORS ARE REQUIRED TO RECUSE THEMSELVES IN INSTANCES WHERE A CONFLICT OF INTEREST MIGHT ARISE. THIS PROCEDURE IS IN PLACE TO MAKE CERTAIN THAT INDIVIDUALS WHO HAVE A CONFLICT OF INTEREST DO NOT INFLUENCE ANY BUSINESS DEALINGS BETWEEN THE ORGANIZATION AND THEMSELVES.

THE ORGANIZATION IS IN THE PROCESS OF ADOPTING A CONFLICT OF INTEREST POLICY.

**PART VI, QUESTION 1A -- EXPLANATION OF PROGRAMS THAT PROVIDE SERVICES**

PENCADER EDUCATION ASSOCIATION PROVIDES EDUCATIONAL SERVICES TO RESIDENT INDIVIDUALS AND FAMILIES IN NEW CASTLE COUNTY, DELAWARE THROUGH ITS CHARTER PROGRAM, PENCADER CHARTER HIGH SCHOOL.

PENCADER EDUCATION ASSOCIATION ("PENCADER") IS A GRADE 9-12 HIGH SCHOOL CHARTERED UNDER DELAWARE LAW (14 DEL. C. SECTION 501, ET SEQ). AS A DELAWARE CHARTER SCHOOL, PENCADER PROVIDES STUDENTS IN GRADES 9-12 AN INNOVATIVE AND CHALLENGING ACADEMIC ATMOSPHERE. PENCADER'S CURRICULUM IS A UNIQUE COMBINATION OF ACADEMIA AND CHARACTER EDUCATION, AS WELL AS BUSINESS AND FINANCE COURSES THAT ENABLE

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STUDENTS TO MEET OR EXCEED THE DELAWARE PERFORMANCE REQUIREMENTS FOR GRADUATION. UPON GRADUATION, STUDENTS ARE EQUIPPED WITH THE SKILLS NEEDED TO BE EMPLOYED IN THE BUSINESS AND FINANCE INDUSTRY OR TO PURSUE SUCH STUDIES AT A POST SECONDARY LEVEL. BUSINESS COURSES FOCUS ON CURRENT AND ACCEPTED BUSINESS PRACTICES AND MODALITIES AND ARE DESIGNED TO EQUIP STUDENTS WITH AN AWARENESS OF THE RAPIDLY CHANGING AND INCREASINGLY INTERCONNECTED WORLD ECONOMY.

THE PRIMARY GOAL OF PENCADER IS TO DELIVER INSTRUCTION TO STUDENTS THAT ENABLE THEM TO BE SUCCESSFUL IN THE BUSINESS AND FINANCE INDUSTRY IMMEDIATELY FOLLOWING HIGH SCHOOL GRADUATION AND/OR TO PREPARE STUDENTS SEEKING A POST SECONDARY EDUCATION IN BUSINESS AND FINANCE. IT IS ALSO OUR GOAL TO HAVE STUDENTS MEET OR EXCEED THE PERFORMANCE STANDARDS SET FOR THE DSTP AND TO BE ABLE TO RECEIVE A "DISTINGUISHED" DIPLOMA SHOULD THE 3-TIERED DIPLOMA SYSTEM BE REINSTATED.

TO ACHIEVE OUR GOAL, THE STAFF OF PENCADER WILL:

- PROVIDE DIFFERENTIATED INSTRUCTION TO MEET THE LEARNING NEEDS OF ALL OUR STUDENTS.
- PROVIDE AN INTEGRATED CURRICULUM THAT SUPPORTS THE DELAWARE CONTENT STANDARDS.
- PROVIDE BUSINESS AND FINANCE CURRICULUM IN ALIGNMENT WITH THE NATIONAL COUNCIL ON ECONOMIC EDUCATION.
- PROVIDE STUDENTS WITH AN OPPORTUNITY FOR INTERNSHIPS IN THE BUSINESS AND FINANCE INDUSTRY.
- WORK WITH TECHPREP DELAWARE TO PROVIDE HANDS-ON TECHNICAL TRAINING WITH ACADEMIC STUDIES.
- FOLLOW THE NATIONAL ACADEMY OF FINANCE CURRICULUM.
- WORK WITH STUDENTS WHO HAVE AN IIP TO ACHIEVE A PASSING SCORE ON THE DSTP.
- PROVIDE A SAFE AND ORDERLY LEARNING ENVIRONMENT.

UPON GRADUATION, STUDENTS WILL BE ABLE TO:

- COMMUNICATE EFFECTIVELY IN WRITING AND ORALLY.

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- SOLVE PROBLEMS USING HIGHER ORDER THINKING SKILLS.
- SEEK EMPLOYMENT OR HIGHER EDUCATION IN THE BUSINESS WORLD.

**PART VIII, QUESTION 4A – DESCRIPTION OF EACH FUNDRAISING PROGRAM**

EMAIL SOLICITATIONS – PENCADER SOLICITS CONTRIBUTIONS VIA EMAIL TO INDIVIDUALS WITHIN THE NEW CASTLE COUNTY, DELAWARE REGION.

PERSONAL SOLICITATIONS - PENCADER SOLICIT CONTRIBUTIONS VIA PERSONAL COMMUNICATION.

FOUNDATION AND GOVERNMENT GRANT SOLICITATIONS – PENCADER APPLIES FOR GRANTS TO OBTAIN FUNDING.

**PART VIII, QUESTION 4D – DESCRIPTION OF FUNDRAISING**

DESCRIPTION OF FUNDRAISING PROGRAMS

PENCADER CHARTER HIGH SCHOOL HAS ENGAGED IN NUMEROUS FUNDRAISING ACTIVITIES IN PRIOR YEARS. THESE INCLUDE FUNDRAISERS AT LOCAL RESTAURANTS THAT PROVIDE THE SCHOOL WITH A PERCENTAGE OF THE PROFITS RECEIVED FROM SCHOOL-RELATED EVENTS; "JEAN DAY" DONATIONS BY STUDENTS TO SCHOOL CLUBS; ANNUAL GIVING PROGRAMS INCLUDING SOLICITATIONS BY LETTER AND EMAILS TO PARENTS AND OTHERS IN THE COMMUNITY; SOLICITATION OF DONATIONS FROM ITS PARENT-TEACHER ORGANIZATION (PTO); AND APPLICATIONS FOR FEDERAL GRANTS THROUGH TITLE I AND TITLE II PROGRAMS.

UPON THE REINSTATEMENT OF ITS TAX EXEMPT STATUS, THE SCHOOL INTENDS TO CONTINUE WITH THESE ACTIVITIES AND, THROUGH ITS NEWLY ESTABLISHED MARKETING COMMITTEE, EXPAND ITS FUNDRAISING TO OTHER EFFORTS SUCH AS SOLICITATION OF PRIVATE FOUNDATIONS, ADDITIONAL SCHOOL EVENTS, AND OTHER ACTIVITIES.

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AT THIS POINT, PENCADER INTENDS TO USE ITS STAFF TO DO ALL OF THE FUND RAISING AND IT WILL NOT BE RETAINING ANY INDEPENDENT CONTRACTORS OR THIRD PARTY FUND RAISING COMPANIES.

**PART VII, QUESTION 5 – AFFILIATION WITH GOVERNMENTAL UNIT**

PENCADER IS AFFILIATED WITH THE DEPARTMENT OF EDUCATION AND THE DELAWARE DEPARTMENT OF EDUCATION. AS A CHARTER SCHOOL, PENCADER IS SUBJECT TO THE RULES AND REQUIREMENTS SET FORTH BY THESE FEDERAL AND STATE EDUCATION DEPARTMENTS.

**SCHEDULE B, SECTION I, QUESTION 1B – TYPE OF SCHOOL**

THE PENCADER EDUCATION ASSOCIATION OPERATES THE PENCADER CHARTER HIGH SCHOOL, WHICH PROVIDES FORMAL HIGH SCHOOL EDUCATION TO STUDENTS. THE CHARTER HIGH SCHOOL COMPLIES WITH THE DELAWARE DEPARTMENT OF EDUCATIONS REQUIREMENTS FOR OPERATING A CHARTER SCHOOL.

**SCHEDULE B, SECTION I, QUESTION 2**

Title 14, Delaware Code, Chapter 5:

§ 509. School financing.

(a) Charter schools shall be eligible for public funds under procedures established by this section. Notwithstanding that this Code may establish procedures for the funding of a public school choice program and that such program may include charter schools among those schools which students may choose, funding for charter schools shall be as provided in this section.

(b) A charter school shall receive a payment with respect to each of its students equal to:

(1) From the State on or before November 30, the funding equivalent to the Division I staffing, including fractional funding of partial units, excluding funding for a Superintendent, Division II -- All Other Costs and Energy funding, minor capital improvements and school building maintenance funded generated by the annual student unit count conducted on September 30 of each year in accordance with Department of Education regulations. In the case of Division III -- Equalization, a charter school shall receive from the State an amount that is determined by weighting the Division III per unit values that would have been generated by its students had they been counted in their district of residence. In addition, a

ATTACHMENT TO FORM 1023

charter school shall receive a pro-rated portion of any other funds appropriated to the Department of Education that are intended to be allocated on a student, employee or school state share. For the purposes of calculating such funding, each charter school student shall be counted in a separately reported unit count of the charter school, and not counted for any purposes in the student's district of residence. For any partially funded unit generated at a charter school, the charter school is free to negotiate the use of such unit with the chartering district, and other public school districts, in order to purchase central custodial, administrative, clerical, direct teaching or educationally related services. If such an agreement is not negotiated, a payment based on the average State cost per unit shall be payable to both the charter school and the district issuing the charter, provided that the sum of both fractions justifies an additional unit. The State shall advance 75% of the anticipated funding pursuant to this subsection at the beginning of each fiscal year, provided that the charter school has provided the Department of Education with a preliminary roster of its students on or before May 1 of such year, and does not maintain the status of formal review or probation. The status of formal review or probation shall prompt the Department of Education to advance a level of funding appropriate to pending administrative action. A final roster shall be due September 30. Notwithstanding the above, a charter school in its first year of operation shall receive 50% of the anticipated funding pursuant to this subsection at the beginning of the fiscal year, provided that the charter school has provided the Department of Education with a preliminary roster of its students on or before May 1 of such year. The charter school shall receive an additional 25% of the funding due pursuant to this subsection on October 1 of its first year in operation and shall receive the remaining 25% on February 1 of its first year in operation, provided that the school has completed and posted the required standardized financial report forms and the Department has reviewed those forms and determined that the school's finances will not at that time lead the Department to submit the school for formal review pursuant to § 515 of this title. A determination that the school will be submitted for formal review shall prompt the Department of Education to advance a level of funding appropriate to pending administrative action. The percentage of funding to be provided to charter schools on July 1 and October 1 pursuant to the above may be increased in the Secretary's discretion.

(2) From the school districts in which its students reside on or before November 30 of each year, the local cost per student (regular or special education, as the case may be), net of transportation expenses provided for pursuant to § 508 of this title. The school districts in which its students reside shall advance at least 35% of the anticipated funding pursuant to this subsection at the beginning of each fiscal year provided that the charter school has provided the school districts of residence with a preliminary roster of its students on or before May 1 of such year. This advance may be paid from Division III -- Equalization funds if the district's prior fiscal year current expense local funds balance was 20% or less pursuant to § 1507 of this title. A final roster shall be due September 30.

(c) If a parent or legal guardian of a student enrolled outside the district pursuant to this chapter moves during the school year to a district different from the district in which that

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parent's or legal guardian's child resided at the time of the annual unit count, the child's first district of residence shall continue to be responsible for payments to the charter school for the balance of the school year pursuant to paragraph (b)(2) of this section. The child's new district of residence shall be responsible for all such payments during succeeding years.

(d) The Department of Education shall annually calculate the local cost per student expended by each school district for each type of student for the year immediately preceding based on the formula set forth in subsection (e) of this section, adjusted by a factor necessary to fund the charter school on a basis reasonably equivalent to the current year local cost per student, which factor shall be established in the annual Appropriations Act. The Department shall annually certify each local district's local cost per student expenditure by September 1st of each year.

(e) Local cost per student as used in this section shall be calculated as follows:

Total Local Operating Expenditure in Preceding Fiscal Year  
\_\_\_\_\_ Total Division I Units minus Spec School Units  
\_\_\_\_\_ Number of Pupils per Unit

Where:

Total Local Operating = Sum of all expenditures

Expenditure in from local sources minus Preceding FY local expenditures for tuition minus local expenditures For debt service minus local expenditures for Minor Capital Improvement minus local cafeteria expenditures minus any other local expenditures deemed by the Secretary of Education to be inappropriate for inclusion for the purpose of this chapter.

Division I Units = Division I Units certified by For each District the Department of Education or Special School as of September 30th of each year

Pupils per Unit = Number of Pupils required for particular unit of funding as specified in § 1703 of this title.

(f) For any student, who because of educational need requires services that are appropriately financed pursuant to the provisions of Chapter 6 of this title, either at the outset or subsequent to a decision to enroll in a charter school, the student's district of residence shall remain financially responsible for such student and the charter school shall receive from such district a payment determined in accordance with the provisions of Chapter 6 of this title.

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EIN: 20-0388633

FORM 1023 ATTACHMENT

SUPPLEMENTARY INFORMATION REGARDING ORGANIZATION AND  
ACTIVITIES

**SAMPLE FUNDRAISING LITERATURE**



# PENCADER

CHARTER HIGH SCHOOL

September 2011

Dear Pencader Family and Friends:

Pencader Charter High School has gone through a year unlike any since its founding. The experience of almost having the school close is one that many of us will never forget. However, while Pencader was doing battle with the Department of Education in Dover, a remarkable thing happened here on Lukens Drive. Pencader became a family. Students, teachers, parents, alumni, and friends banded together and became ONE.

The coming school year will not be without its challenges. The financial pressure on the school will be great, and budgets will be tight. State funding for Charter schools is considerably less than funding for traditional public schools. Charters receive approximately 60% of the funding traditional public schools receive. The best way for you to help your school is to make a donation to the Pencader Annual Fund. Your contribution will be used to help fund capital expenses, purchase updated technology and software, expand academic programs, support extracurricular activities, and help provide professional development for our faculty.

In short your donation to the Annual Fund will enable Pencader to continue to deliver the quality education that propelled our students to four-star proficiency as measured by the State's formula for yearly progress. Our children and teachers have achieved the coveted Commendable Academic Ranking.

When parents, alumni, teachers, Board Members and local businesses support the Annual Fund, it positions Pencader to approach foundations and other potential donors for major grants and gifts. This means that your contribution to the Annual Fund is critical, no matter what the amount may be.

During the summer of 2011, Pencader Charter became a family. As a family we are committed to the long range health and development of our school and the values for which we stand. Please do not let your family down. Make a contribution to the Annual Fund and become an active part of building Pencader's future while securing ours today.

Sincerely yours,

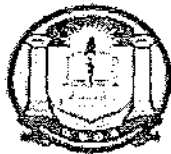
School Leader

Director of Development

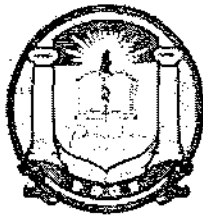
Pencader Charter High School is  
a 501c3 non-profit  
EIN 20-0388635

## **Funding the Future** *at Pencader Business and Finance Charter High School*

The Annual Fund is vital to the continued success of the Pencader Mission to provide students in grades 9 – 12 an innovative and challenging academic atmosphere. Income from the Annual Fund supports the operating budget at the school and associated costs that are not covered by Federal, State, or Local funding, such as capital expenses. Donations to the Annual Fund allow Pencader to continue to deliver an education that exceeds that of traditional public schools while fulfilling the Delaware's charter spirit of providing excellence in education at no cost to students and their families. Pencader is a 501c3 and donations are tax-deductible.



**PENCADER**  
CHARTER HIGH SCHOOL



# PENCADER

## CHARTER HIGH SCHOOL

### ADMINISTRATION

**DR. ANN E. LEWIS**  
School Leader

**MRS. AMANDA FRASER**  
Curriculum and Professional  
Development

**MR. RAY ARZINGER**  
Director of Development

### BOARD OF EDUCATION

**MS. HARRIE ELLEN  
MINNEHAN**  
President

**DR. ABRAHAM JONES**

**DR. DAN FREEMAN**

**MS. KELLY QUINN**

**MR. STEVEN QUMBY**

**MS. JUDI KENNEDY**

**SHAWN W. KLAPINSKY, CPA**

Pencader  
Business and Finance  
Charter High School  
170 Lukens Drive  
New Castle, DE 19720-2727

Telephone:  
302-472-0794  
302-573-7760

Facsimile:  
302-472-0796

### Why Give to Pencader?

Pencader is Delaware's First Charter High School dedicated to preparing students for futures in business and finance. Since its first graduation in 2009, Pencader has established a tradition of preparing young Delawareans for post-secondary success. In 2011, 97 percent of Pencader graduates were accepted into colleges or universities, a rate that outpaces many of Delaware's traditional public schools. Your gift to Pencader will allow our school to continue preparing young Delawareans for post-secondary education and competition in the global economy.



The Annual Fund is vital to the success of the Pencader Mission to provide students in grades 9 – 12 with an innovative and challenging academic atmosphere. Income from the Annual Fund supports the operating budget at the school and associated costs that are not subsidized by Federal, State, or Local funding, such as capital expenses. Donations to the Annual Fund allow Pencader to continue to deliver an education that exceeds that of traditional public schools while fulfilling Delaware's charter spirit of providing excellence in education at no cost to students and their families.

*Pencader is a 501c3 and donations are tax-deductable.*

## EXHIBIT B



Department of the Treasury  
Internal Revenue Service

P.O. BOX 2508  
CINCINNATI OH 45201

In reply refer to: 9999999999  
Jan. 22, 2013 LTR 3367C SO  
20-0388633 000000 00

00020850  
80DC: TE

PENCADER EDUCATION ASSOCIATION  
MAILLIE FALCONIERO & COMPANY LLP  
EDWARD FRONCZKOWSKI  
PO BOX 3068  
WEST CHESTER PA 19381-3068

019989

Employer Identification Number: 20-0388633  
Tax Form: 1023  
Document Locator Number: 17053-356-36600-2  
For assistance, call: 1-877-829-5500

Dear Applicant,

We received your application for exemption from Federal income tax and your user fee payment.

During the initial review process, applications for exemption are separated into three groups:

1. Those that can be processed immediately based on information submitted,
2. Those that need minor additional information to be resolved, and
3. Those that require additional development.

If your application falls in the first group or second group, you will receive your determination letter stating that you are exempt from Federal income tax or a request for information via phone, fax, or letter. If your application falls within the third group, you will be contacted when your application has been assigned to an Exempt Organizations specialist for technical review. You can expect to be contacted within approximately 90 days from the date of this notice.

IRS does not issue "tax exempt numbers" or "tax exempt certificates" for state or local sales or income taxes. If you need exemption from these taxes, contact your state or local tax offices.

General information about the application process and tax-exemption can be found by visiting our website, [www.irs.gov/eo](http://www.irs.gov/eo). If you are unable to locate the information needed, you may call our toll free number shown above Monday through Friday. When communicating with us, please refer to the employer identification number and document locator number shown above.

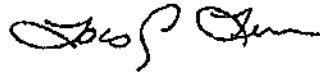
Sign up for Exempt Organizations' EO Update, a regular e-mail newsletter that highlights new information posted on the Charities pages of [irs.gov](http://irs.gov). To subscribe, go to [www.irs.gov/eo](http://www.irs.gov/eo) and click on "EO Newsletter."

9999999999  
Jan. 22, 2013 LTR 3367C SO  
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PENCADER EDUCATION ASSOCIATION  
MAILLIE FALCONIERO & COMPANY LLP  
EDWARD FRONCZKOWSKI  
PO BOX 3068  
WEST CHESTER PA 19381-3068

For other general information, tax forms, and publications, visit  
[www.irs.gov](http://www.irs.gov)

Sincerely yours,



Lois G. Lerner  
Director, Exempt Organizations

3

## Save our school!!

Pencader is the best school I have attended in my life. I was failing all my classes in other schools before coming to Pencader. When I enrolled at Pencader I thought I was going to continue to fail, but sure enough first semester I made second honors and in second semester I repeated that feat again. I was finally passing all my classes and performing very well, I feel Pencader and its teachers are the reason for my success. The teachers here at Pencader actually care about you and are willing to help you become more successful and graduate. Other schools do not offer the same support that this school does for us. I can actually feel like I am going to pass and not feel like I am left to complete my work without any support. Teachers will stay after to help us and some teachers do extra days just to make sure we pass and get the help we need. Other schools won't do that, Pencader deserves to stay open. I have never had a good connection with teachers and staff in my life before like I do here. They say good morning to us and they not only like to stay in touch with our academics but they like to help us with our social lives also. They realize that our social lives can affect the outcome of student's success in school and our lives. For the first time in my life I enjoy going to school and I feel that I will be able to attend college and earn many scholarships. We all help each other stay on the same page, this school works together we are all a team and a family. I never felt that I was able to fit in at my other schools; it was hard to feel like I was important to my teachers and peers. Here I always have someone to help and support me through rough times and to reassure me that I can reach the goals I set for myself to achieve. As a little kid and to this day I have always been told to never give up and to strive for success. "United we stand divided we fall" Mr. Anderson always tells me every child can learn. Our school stands strong and works as a team. Why close Pencader, that's too easy? Why not push to become better and come to an agreement to make this school better. No other school I have attended has such amazing dynamics as Pencader. Thanks to all the teachers, staff, and support I have grown to be a better and more successful and confident young lady, and with your help I will continue on this path to success.

So in conclusion I ask you the Accountability Committee, State Board of Education, and Secretary of Education Mark Murphy to please reconsider the recommendation of closure at PCHS.

Thank you all for your time and consideration, this letter was intended to persuade all in attendance to truly see what we have here at PCHS.

Sincerely yours,  
Angela Svensson  
Sophomore Student at  
PCHS Graduating Class Of  
2015.

February 8, 2013

To Whom It May Concern,

I am currently an Educator at Pencader Charter Business and Finance High School. I wanted to express my sincere dismay at the possibility that our Charter may be denied.

The school has been on a seriously detrimental financial pathway for quite a while. We have been on the road to improvement and are continuing this journey and frankly doing the best as we can.

I have had the honor and pleasure of observing and mentoring quite a few students over the last six years during my tenure here at Pencader. I have seen distinct improvement in them academically as well as in personal growth.

"T\*\*\*\*\*" is a student who used to have a very perfunctory attitude at best. He had no motivation. He tended to "buck the system" in discipline areas and his grades reflected this. In the end of last year he approached me to thank me for taking the time to encourage and hold him accountable. While he is not a straight "A" student he has regrets about some of those decisions he made in the past but is now focusing and very excited about the positive effects of applying himself and giving more effort. Some of his grades reflect this as well as his choice to improve on his conflict resolution skills and personal interactions.

"T\*\*\*\*\*" is now an advocate for helping student's with their self-control and responses to those in authority over them.

Another student is "D\*\*\*\*\*". He has an IEP. When he first came into my class he was introverted and quiet. He now is interactive as well as is proactive in asking questions and coming for help. He gets good grades.....His confidence level seems so much stronger. This is a life skill that Mr. K has helped mold due to his dedication to the "individual and personal" student. I, also, was privileged to be a part of his progress this year.

"M\*\*\*\*\*" is one of our ELL students. She has improved academically as well as socially. The support level from teachers is a major part of her improvement. She has gained self-esteem. Her effort is so continuous and feeling the back up and caring nature of the school staff will be something I believe she will never forget.

In conclusion, these are merely a few general examples of the plethora of students that have benefited from their education here at Pencader. Our population is diverse in many respects and the success of our student's persona as well as their educational growth is only one part of this "Race for Education".

Catherine Scott Riggs

### Success story: [Student A]

I was first introduced to Student A in my 11<sup>th</sup> grade British Literature class this fall. As the semester began, Student A quickly fell “off track” and was unable to keep up with the work load. As a result, Student A became academically ineligible to play sports. In addition, Student A had a combative attitude toward teachers and staff that was not conducive to learning. It took until Student A stayed after school for me to realize that he lacked the basic skills necessary to complete tasks like homework or compose an essay on his own. Through conversations with his other teachers, I began to realize that Student A needed more individualized attention than other students at his grade level. Teachers like Ms. Moyer, Mr. Blanch and other staff members including Mr. Heller (Student A’s Guidance Counselor) really began to build a rapport with Student A.

Soon I began to see a different student. With sports as his motivation, I watched Student A change from a combative student from Philadelphia to a *Pencader* student concerned about his grades. Student A began to make friends and began handing-in assignments. I also noticed that Student A even became interested in Shakespeare’s *Macbeth*, which we were reading at the time. Without the support Student A receives from the caring teachers and staff at Pencader Charter High School, I fear that his future could be in jeopardy. The small, caring environment has helped Student A to realize that the adults in the building *do* care about his future, including his academic success and even his passion for sports.

It is imperative that Pencader Charter High School stays open for students just like Student A. Many students that attend larger, more impersonal schools get “lost in the shuffle” of a larger environment. At Pencader, teachers and staff took notice of Student A’s situation and took the time to show him that they care. He is just one of the many “success stories” that echoes through the halls of Pencader.

Teacher BW

Pencader Charter High School needs to stay open so that students who have had troubles in other educational settings can continuously be given the chance to succeed. There are several stories similar to the one that I will share with you, stories of students who were unable to succeed at other schools, but since coming to Pencader have improved and excelled in many different facets of the educational experience. When I think of success stories, I can think of one particular student who comes to mind, Student A.

Student A came to us, at Pencader, from an unsuccessful educational background. As he entered Pencader, he lacked the educational and appropriate social skills to fit in here at our school. Student A was unable to complete the work that was given to him, and he became angry at his inability to pass, and could not comprehend that to pass you needed to turn in work that was assigned. Student A was unable to communicate his frustrations with his educational experience, until he finally hit an impasse and broke down. As a teacher of Student A, I was able to understand through his communication to me and prompting him with questions that he was failed in the educational experience by other teachers in his past middle school and high school experiences. He communicated with me, that he never learned the proper way to write an essay, and he is unable to read at grade level. Student A is a very smart kid, but was never given the skills needed in his earlier educational years. Student A told me that his teachers in the past just passed him because they were afraid of him or they did not care. He also told me that this was the first place that people did not allow him to get away with his behavior and lack of work. Student A also told me that this was the first school that any teacher sat down with him to explain to him ideas and concepts he was misunderstanding. Student A has also communicated that he is extremely scared that if this school closes, there won't be anybody there to help him, to keep him off of the streets, help him graduate, and achieve the dreams that he has set out for himself.

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2/10/13

Secretary Murphy and John Carwell:

I am writing to express the Vision Network's support for Pencader Charter High School as your committee reviews their charter. Pencader has been a part of the Vision Network for the past two years and we have seen significant growth and leadership in their team over that time.

Each Vision Network School selects a team of leaders from their building to design and implement instructional improvements targeted at both staff and students. Pencader's team began with us in the fall of 2011 and has grown quickly in both their understanding of the needs of their school and their ability to implement change. This team has expanded both in size and responsibility over the last two years, and is now a formidable asset for change in their building. Together they have developed a school wide instructional focus, deeply informed by their student achievement data, and has begun implementing instructional improvements that target their needs.

They have done this work, and stayed focused, while the challenges of the school and its former leadership, have played out in public. This is obviously trying for teachers, but they have remained committed to improving their school, and indeed some of the initial team members have taken on significant leadership roles in the school over the last year. Their hard work has put this school on the right path to a strong academic program.

This has included developing an Instructional Leadership Team (ILT) that meets weekly and is focused on improving instruction in the building, and creating three school wide leadership teams (ILT, Student Intervention, and Public Relations) to manage discreet leadership tasks. They have also done strong work on addressing the needs of Special Education students through coordinated professional development, a new curriculum, and a coordinator in charge of that work.

We have been greatly encouraged by the growth that this team has made in the last two years, and with the recent leadership changes we feel the school is on the right track to being an innovative and high quality educational opportunity for Delaware students. We hope that your committee will consider the strong work that the staff



of this school has undertaken, and the commitment they have shown to improving their practices, as you make your decision regarding their future.

Thank you,

A handwritten signature in cursive script, appearing to read "Lois Hobbs".

Lois Hobbs  
Interim Executive Director

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## Curriculum Enhancements

**Goal:** Creating CEOs, entrepreneurs, and other business leaders. Graduates of Pencader Charter will be the business **leaders** of tomorrow.

### ***Desired Skills:***

1. Tangible experience to give perspective – CEOs think about the world differently than other people.
2. Help students determine their strengths, learn about the different roles in the business world and what might be the best fit for them.
3. Creating a product or concept
4. “Telling a story” (design/marketing)
5. Perfecting products (operations)
6. Running numbers (finance)
7. Ability to constantly learn and relearn, on their own if necessary, as the world continues to change

### ***Suggested curriculum enhancements to develop skills and achieve goal:***

- **Integrate real-world examples** into the curriculum. Skills 3-6 above are typically addressed with textbooks in business programs.
  - Have companies give students specific problems for them to solve or produce a work-around.
  - Use local companies or, even better, student projects (start-up concepts) as central component to business curriculum to better engage the students.
  - Have students team up to dialogue on problems and possible solutions. Over time develop the skill to determine roles and build the best team for bringing about solutions.
- **Public speaking** integrated as much as possible into the curriculum. Students should be pitching ideas comfortably, presenting projects, and should be able to engage in open dialogue, responding to questions, in front of a group of people.
- **Projects and internships** with local companies – partner with local business organizations. Learn the issues companies face on a day to day basis, learn about the business environment, etc.
- **Workshops** offered to community members for help with software, accounting assistance, developing a business plan, etc
- **Khan Academy** learning integrated as homework assignments, spend the class time working on problems (in the example of math) with the teacher’s assistance (developing the ability to learn on their own and seek assistance)
- **School operations:** students working in every functional aspect of the school to give them tangible experience, learn about basic job skills, customer service, problem solving, etc.

- **Entrepreneurship:** brainstorming exercises led by local entrepreneurs, mentors, guide students through the process of finding high-quality problems and validating potential solutions. Includes brainstorming solutions, forming teams, producing tests to see if the problem is worth solving, learning to fail and learn from failure.
- **Shadowing** start-up CEOs in New York City – have the students shadow for half-day and then join them for lunch.
- **Tours and visits of local companies/institutions/economic engines,** learn the stories behind the successes
  - Port of Wilmington
  - Delaware Division of Corporations
  - Delaware Technology Park
  - Dogfish Head Brewery
  - ILC Dover (spacesuits)
  - Warehousing / Distribution facility
  - DuPont
  - W.L. Gore
  - Dover Downs
  - Banks, etc

***Partner with:***

- coINLOFT – coworking space for entrepreneurs
- Delaware State Chamber of Commerce
- Junior Achievement
- New Castle County Chamber of Commerce
- Port of Wilmington Maritime Society
- Start It Up Delaware (new initiative to cultivate entrepreneurship in the State supported by the Governor)
- Venture Development Center at University of Delaware
- World Trade Center Delaware
- Local businesses

6

**teacher survey****1. How long have you worked at Pencader Business and Finance Charter High School?**

- ☐ 1- 3 years
- ☐ 4 - 6 years
- ☐ 7 + years

**2. How do you feel about the current Administration and additions to the Board of Directors?**

- ☐ I like the additions 100%
- ☐ I like the new Administrators but I don't like one of the Board choices
- ☐ I like the new Board members, but I don't like one of the Administrators
- ☐ I don't like either of the Administrators
- ☐ I don't like either of the Board members
- ☐ I don't like any of the new people

Comment

**3. Have the changes this year impacted your teaching?**

- ☐ yes, in every class
- ☐ yes in more than half of my classes
- ☐ somewhat
- ☐ no

**4. Have you observed any difficulties students have had with the changes at Pencader this year?**

- ☐ yes
- ☐ no

Comments

**5. How calm are you most of the day?**

- ☐ I am calm all day, the stress does not get to me
- ☐ I am calm most of the day, I have a few classes that bug me
- ☐

☐ I pretend to be calm

☐ I am stressed all day

### 6. How well do you feel the Administration supports teachers needs?

☐ Outstanding, always willing to help and support us

☐ Average, I think they are too busy to be concerned with us the way they should

☐ Poor, They leave us to fend for ourselves

### 7. Have you observed student difficulties related to the changes at Pencader this year?

☐ Yes, in most students

☐ A few students show signs

☐ No

Comment

### \*8. If you were told: "The changes at Pencader this year have had a negative impact on the students academic achievement." what would be your response?

### 9. How would you rate Pencader from the time you have taught here?

	Administrative support	Mentoring	Professional Growth	Curriculum	Prep time	Students commitment to learn	Class time/schedule
Outstanding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Average	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

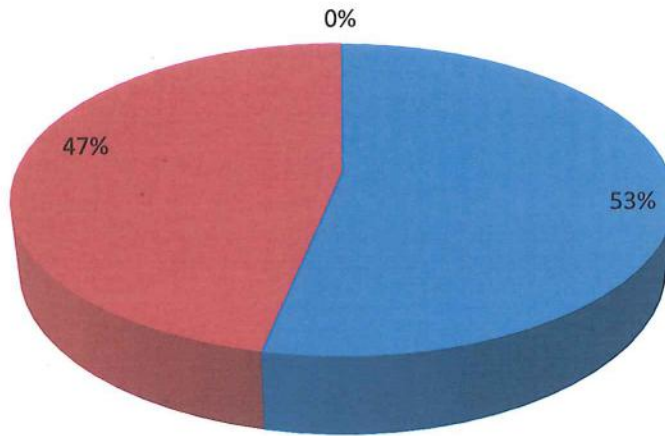
Other (please specify)

Done



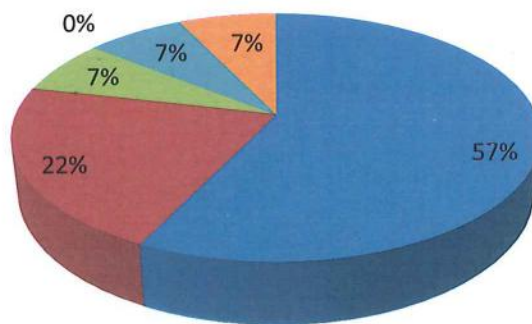
## Question 1

■ 1 -3 years ■ 4 - 6 years ■ 7+ years



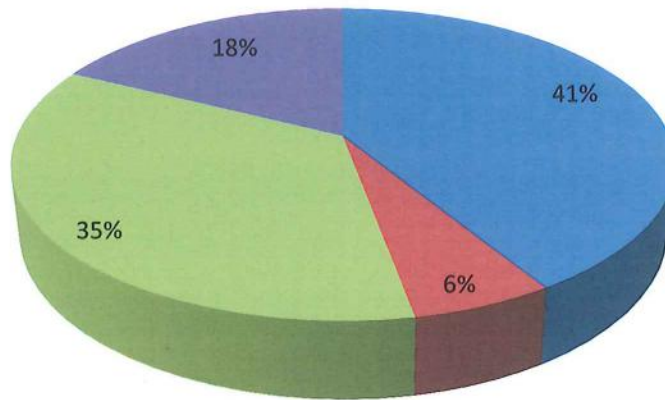
## Question 2

■ Like 100% ■ Like new admin but not 1 board member  
■ Like new board but not one admin ■ don't like either admin  
■ Dont like either board member ■ dont like any



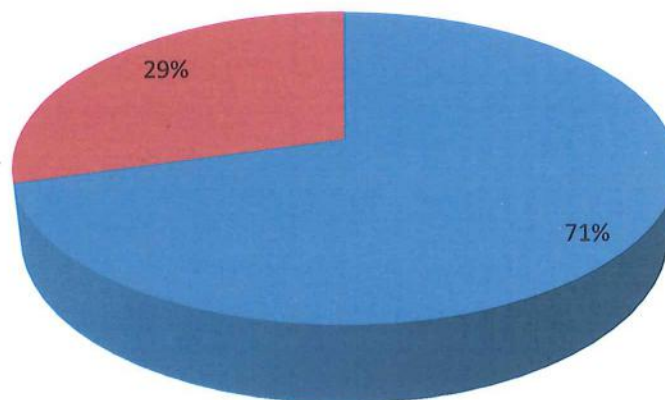
### Question 3

■ yes in every class   ■ Yes in more than half of the classes   ■ somewhat   ■ no



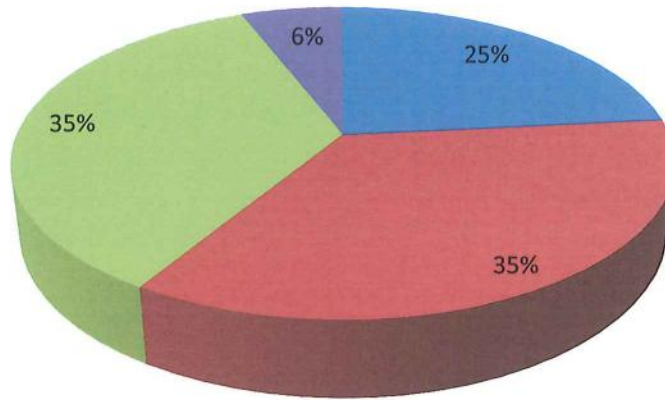
### Question 4

■ yes   ■ No



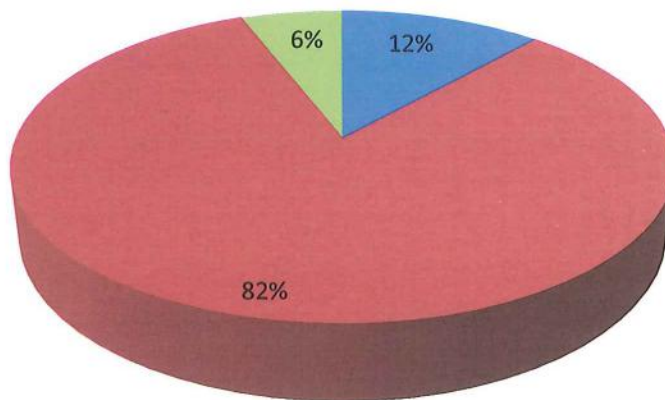
### Qyuestion 5

■ Calm all day ■ Calm most of the day ■ Prentend to be calm ■ Stressed all day



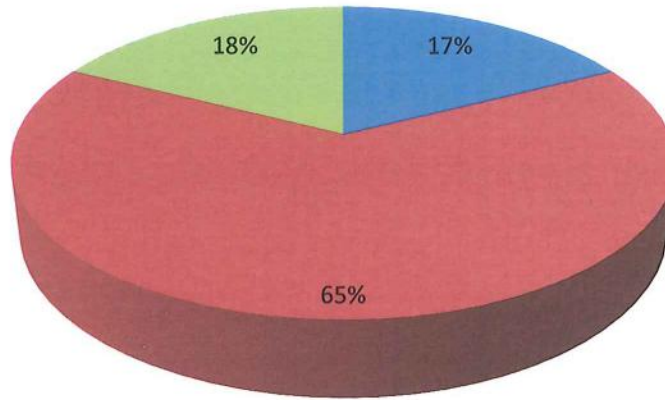
### Question 6

■ Outstanding ■ Average ■ Poor



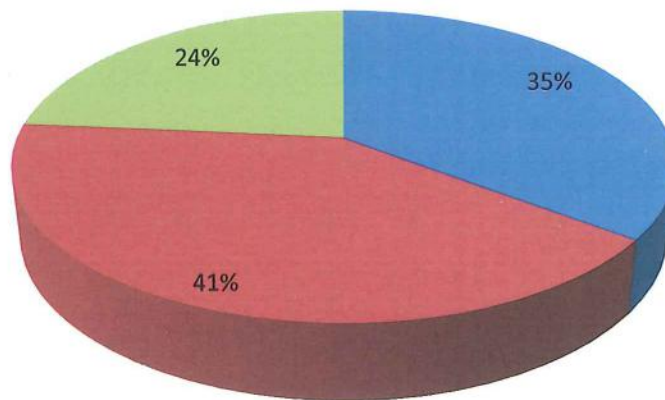
### Question 7

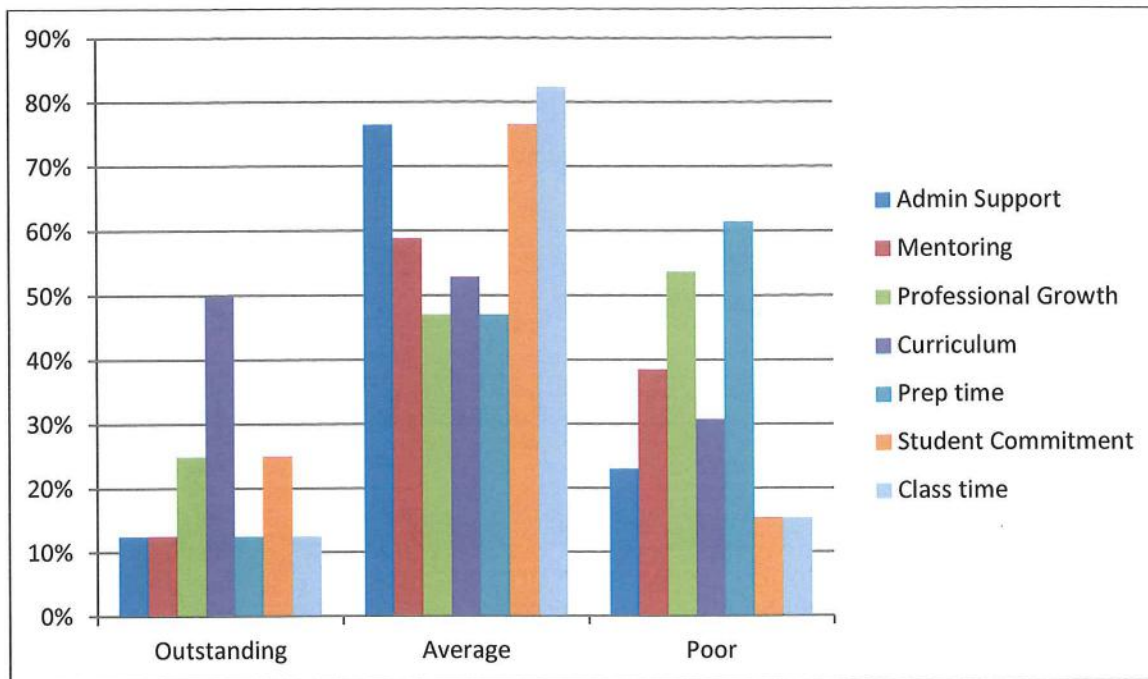
■ yes ■ A few ■ No



### Question 8

■ Agreed ■ Disagreed ■ half/half





**Student Feedback**

1/1

**1. How many years have you attended Pencader Business and Finance Charter High School?**

- ☐ 1 year
- ☐ 2 years
- ☐ 3 years
- ☐ 4 years

**2. Do you consider Pencader to be a safe place?**

- ☐ Yes, always
- ☐ Yes, most of the time
- ☐ No

**3. Does Pencader meet your expectations of what a school should provide for you?**

- ☐ Yes, always
- ☐ Yes, most of the time
- ☐ No

**4. Are your teachers understanding and accommodating to you?**

- ☐ Yes, in all classes
- ☐ Yes, in more than half my classes
- ☐ Sometimes
- ☐ No

**5. Is this school year similar to last year**

- ☐ yes, I just have different classes for my grade
- ☐ No, I noticed a lot of things changed this year.

No, elaborate

**6. Do you feel your teachers are doing their best to teach you what you need to learn for next year, or college?**

- ☐ Yes, in every class
- ☐ Yes, in more than half my classes
- ☐ In some classes
- ☐ No

Comment

**7. Do you think the administration is concerned with your education?**

- ☐ Yes
- ☐ No

**8. Overall, how would you rate Pencader as a school?**

	Teachers	Administrators	Support Staff	Classes offered	Policies/rules	Grading scale	Safety	Comfortable environment
Outstanding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Average	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**9. Are you aware of the possible closing of Pencader?**

- ☐ yes
- ☐ no

**10. Do you feel the changes this year have interfered with your education?**

- ☐ Yes
- ☐ No

comments

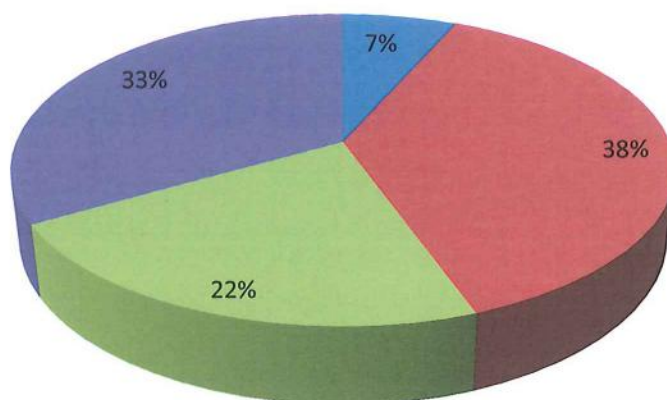
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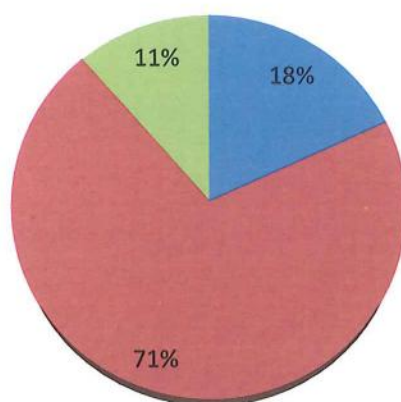
### Question 1

■ 1 year ■ 2 years ■ 3 years ■ 4 years



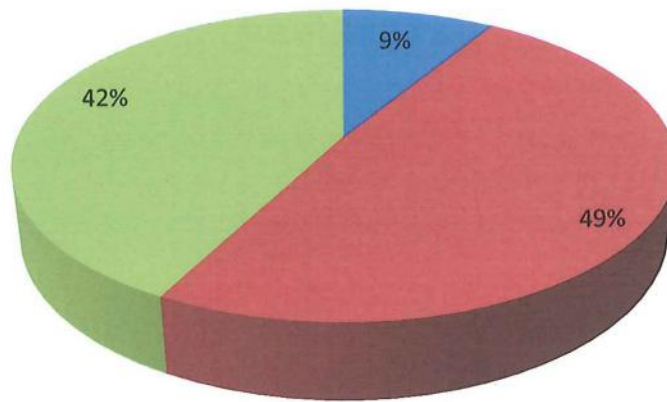
### Question 2

■ Yes ■ Most of the time ■ No



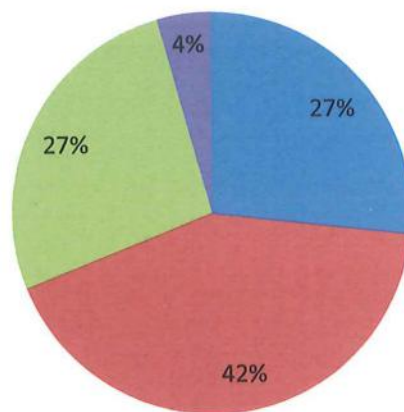
### Question 3

■ Yes, all the time ■ Most of the time ■ No



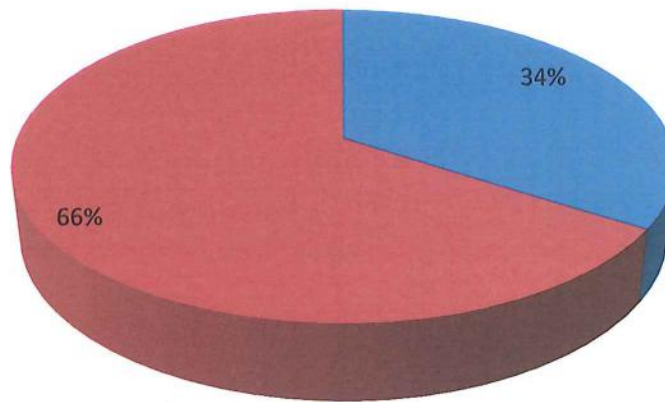
### Question 4

■ Yes, all the time ■ Most of my classes ■ Sometimes ■ No



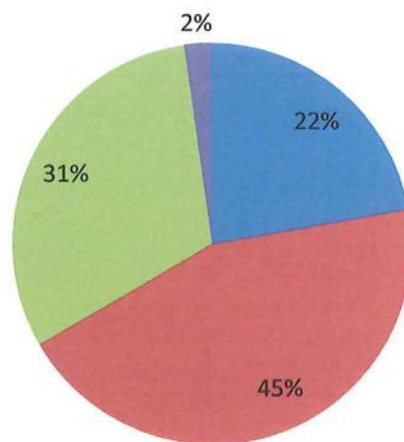
### Question 5

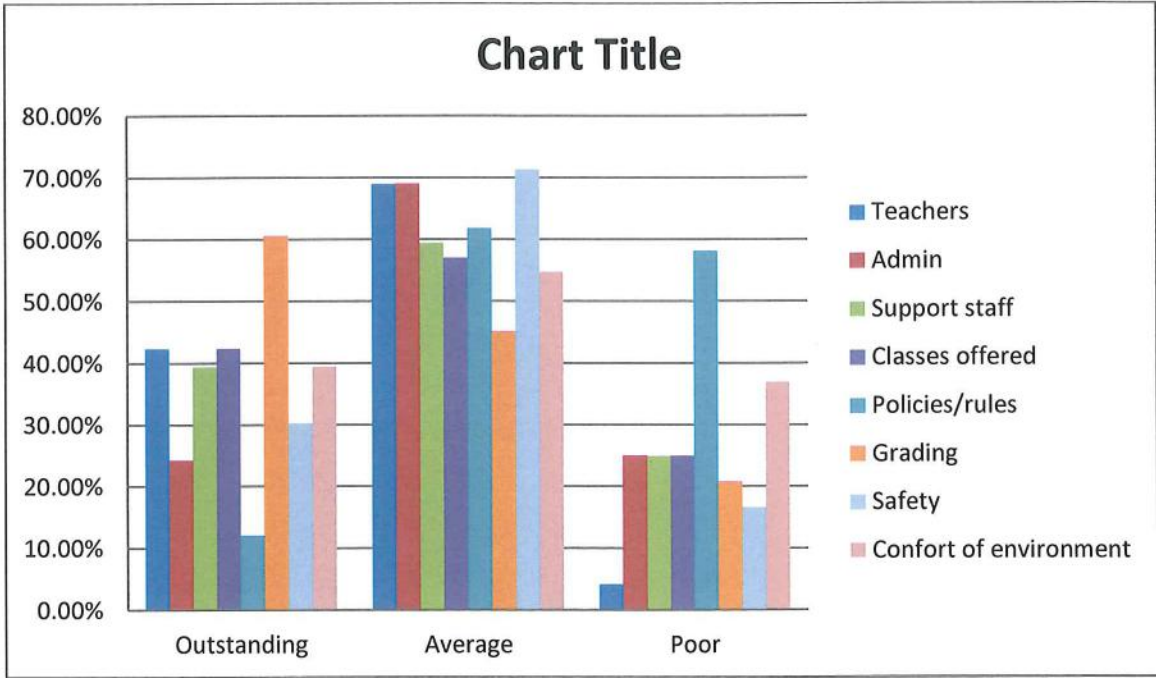
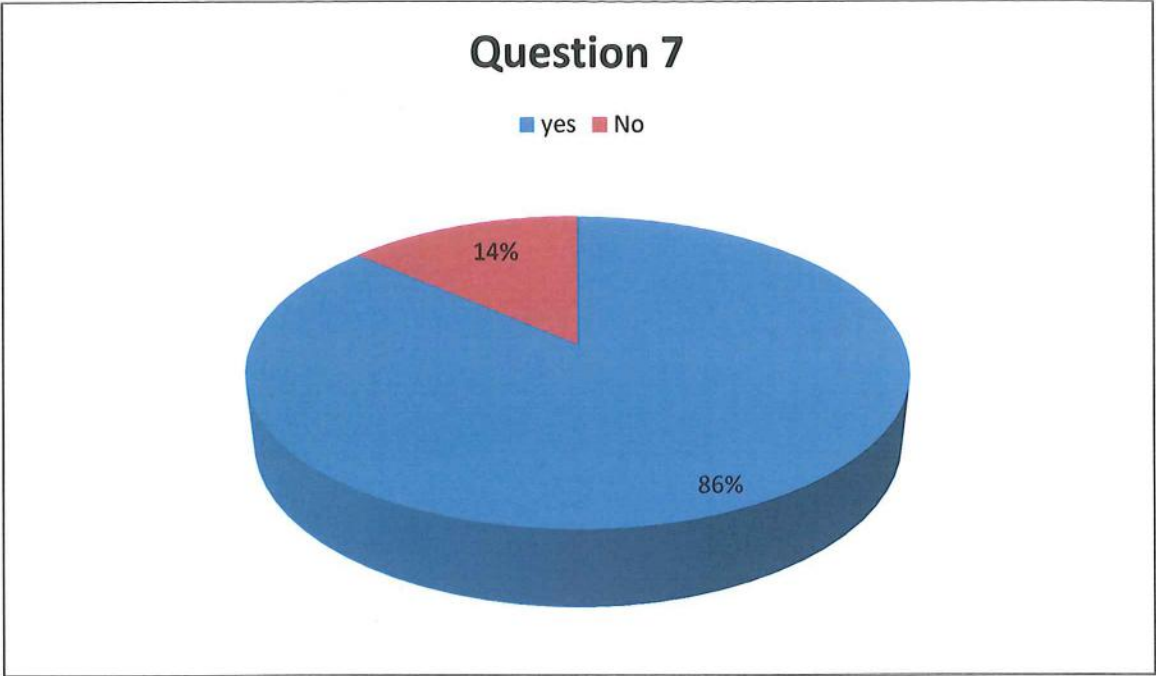
■ Yes, just different classes   ■ No, a lot of changes



### Question 6

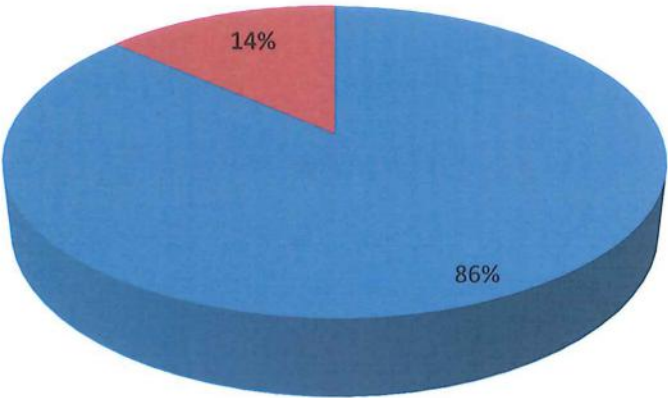
■ Yes, every class   ■ Yeas, most of the classes   ■ Some classes   ■ No





Question 9

■ Yes ■ No



Question 10

■ Yes ■ No

